

FEDERAL REGISTER



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TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade
[6th Gen. Rev. of Export Regs., Amdt. 53¹]

PART 370—SCOPE OF EXPORT CONTROL BY DEPARTMENT OF COMMERCE

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

PART 384—GENERAL ORDERS

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE

MISCELLANEOUS AMENDMENTS

1. Section 370.3 *Shipments to Canada for reexportation to another foreign country* is amended by the addition of a Note reading as follows:

NOTE: When such an exportation to a foreign country is made in transit via Canada, the United States exporter shall submit an authenticated copy of the shipper's export declaration to the Canadian Customs Authorities at the Canadian port of entry.

This part of the amendment shall become effective as of June 25, 1953.

2. Section 373.3 *Evidence of availability* paragraph (c) *Nature of evidence of availability required from non-producers* is amended in the following particulars: The title of subparagraph (2) *Commodities with processing code STEE (other than Controlled Materials)* is amended to read as follows: "(2) *Commodities with processing code STEE*"

This part of the amendment shall become effective as of July 1, 1953.

3. Section 373.39 *Applicability of multiple commodity group provisions to Commodity Group 6 commodities*, para-

graph (d) *Past participation in exports* is amended in the following particulars: Subparagraph (1) *All controlled materials and certain additional commodities with processing code NONF* is amended to read as follows:

(1) *Certain commodities with processing code NONF*

Copper scrap, Schedule B No. 641300;
Brass and bronze scrap, new and old, Schedule B No. 644000; copper-base alloy ingots, Schedule B No. 644100;

A separate report on Form IT-821 shall be filed for each Schedule B number and shall cover the quantity in Schedule B units of exports from the United States made during each of the calendar years 1949 and 1950 where the total of such exports for each commodity was \$5,000 for any one year.

This part of the amendment shall become effective as of July 1, 1953.

4. Section 373.40 *Iron and steel* is amended in the following particulars:

a. Paragraph (b) *Iron and steel commodities subject to export licensing general policy* is deleted.

b. Paragraph (c) *Silicon steel sheets* is redesignated paragraph (b).

c. Paragraph (d) *Alloy, tool, and stainless steel* is redesignated paragraph (c), and amended by deleting the word "mill" in the first sentence of the first unnumbered subparagraph.

d. Paragraph (e) *CMP carbon steel, including steel plates and structurals, but not including tinplate* is deleted.

e. The following new paragraphs (d), (e) and (f) are added:

(d) *Nickel-bearing stainless steel, and plate and structurals*. Applications for licenses to export nickel-bearing stainless steel, Schedule B Nos. 601702 through 601950, 602050, 602500, 603135, 630540, 603750, 603850, 604530, 607500, 608150, 608210, 610492, 610495, 619910; carbon steel plate, Schedule B Nos. 603125, 618963, 618965; and carbon steel structurals, Schedule B Nos. 604510, 618961, 605000, will be considered for approval by the Office of International Trade only where the end use is:

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¹ This amendment was published in Current Export Bulletin No. 706, dated June 25, 1953.



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CFR SUPPLEMENTS

(For use during 1953)

The following Supplements are now available:

Title 6 (\$1.50); Title 14: Part 400—end (Revised Book) (\$3.75); Title 32: Parts 1—699 (\$0.75); Title 38 (\$1.50); Title 43 (\$1.50); Title 46: Part 146—end (\$2.00)

Previously announced: Title 3 (\$1.75); Titles 4—5 (\$0.55); Title 7: Parts 1—209 (\$1.75), Parts 210—899 (\$2.25), Part 900—end (Revised Book) (\$6.00); Title 8 (Revised Book) (\$1.75); Title 9 (\$0.40); Titles 10—13 (\$0.40); Title 15 (\$0.75); Title 16 (\$0.65); Title 17 (\$0.35); Title 18 (\$0.35); Title 19 (\$0.45); Title 20 (\$0.60); Title 21 (\$1.25); Titles 22—23 (\$0.65); Title 24 (\$0.65); Title 25 (\$0.40); Title 26: Parts 80—169 (\$0.40), Parts 170—182 (\$0.65), Parts 183—299 (\$1.75); Title 26: Part 300—end, Title 27 (\$0.60); Titles 28—29 (\$1.00); Titles 30—31 (\$0.65); Title 32: Part 700—end (\$0.75); Title 33 (\$0.70); Titles 35—37 (\$0.55); Title 39 (\$1.00); Titles 40—42 (\$0.45); Titles 44—45 (\$0.60); Title 46: Parts 1—145 (Revised Book) (\$5.00); Titles 47—48 (\$2.00); Title 49: Parts 1—70 (\$0.50), Parts 71—90 (\$0.45), Parts 91—164 (\$0.40), Part 165—end (\$0.55); Title 50 (\$0.45)

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(1) Essential to direct military production of the United States or of a friendly foreign nation; or

(2) Essential to the production abroad of strategic materials for shipment to the United States or to a friendly nation; or

(3) Essential to direct defense supporting industry, including the facilities required for the production described in either of the two first-named criteria; or

(4) Urgent and essential for the maintenance of basic civilian activities and public services of friendly nations.

(e) *Time for submission of applications.* Export license applications must be submitted in accordance with any applicable time schedule. License applications will be returned without action to the applicant if time schedules for submission are provided but not observed by the applicant; such applications may be resubmitted during the appropriate periods. It is the intention of the Office of International Trade to complete licensing iron and steel commodities within 30 days after the closing date for the submission of applications for such commodities, where such closing dates are specified.

(f) *Applications in excess of quotas: re-filing.* Applications for which quota is not available will be returned without action (RWA) immediately and may not be refiled prior to the date shown on the RWA form. If the letter of acceptance or commitment originally filed is more than 90 days old at the time of re-filing of such an application, the letter must be reconfirmed or a new letter must be submitted at the time of re-filing.

This part of the amendment shall become effective as of July 1, 1953.

5. Section 373.42 *Production tinplate* is deleted.

This part of the amendment shall become effective as of July 1, 1953.

6. Section 373.43 *Copper under the Controlled Materials Plan* is deleted.

This part of the amendment shall become effective as of July 1, 1953.

7. Section 373.71 *Supplement 1, Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended in the following particulars for the Third Quarter, 1953:

a. The subheading "Commodities designated 'C' on the Positive List" under the heading "Metals and Manufactures" and footnote 2 related thereto are deleted.

b. Footnote 3 following the entry "Commodities with processing code STEE, carbon and stainless steel only" is renumbered 2.

This part of the amendment shall become effective as of July 1, 1953.

8. Section 380.2 *Amendments or alterations of licenses, paragraph (b) Where to file* is amended in the following particulars: Subdivisions (iii) and (iv) of subparagraph (3) *Amendment requests on which field offices may not take action* are amended to read as follows:

(iii) The validity period of licenses for totally allocated commodities (as de-

fined in the Note to § 373.44 (a) of this subchapter), and nickel-bearing stainless steel commodities (as set forth in § 373.40 (d) of this subchapter) may not be extended unless the licensee submits evidence showing that the commodities are in his possession and a certification that the material was purchased in accordance with the applicable NPA regulations.

(iv) Requests for change of nickel-bearing stainless steel symbol from one quarter to another, see § 398.5 (b) (3) of this subchapter.

This part of the amendment shall become effective as of July 1, 1953.

9. Section 382.51 *Table of compliance orders currently in effect denying export privileges* is amended in the following particulars:

a. Subparagraph (1) of paragraph (a) *Contents* is amended to read as follows:

(1) This table contains orders issued by the Office of International Trade which currently revoke, suspend, or deny export privileges. In some cases, orders provide a specified period of suspension,

a certain portion of which is to be an actual suspension, and the balance a period in which effective suspension is held in abeyance, conditioned on the respondent's compliance with the export control law and regulations. In such cases, the period of abeyance may be automatically reinstated as a further period of actual suspension in the event that the Office of International Trade finds that the respondent has committed a further violation. In the column of this table headed "Expiration Date of Order," the termination date of the period of actual suspension will appear, and in the event the order contains a further abeyance period, the expiration date of that period will be shown in the same column, set off by brackets. Proceedings in compliance cases are confidential until a final compliance order is issued. For this reason, temporary suspensions by order or charging letter are not included in this table, unless publication thereof is required in the public interest.

b. Paragraph (b) *Table of compliance orders* is amended to read as follows:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Ahern, C. F., 1 Wall St., New York, N. Y.	6-12-51	6-12-54.....	General and validated licenses, all Positive List commodities, any destination.	16 F. R. 5545, 6-19-51.
Allmable, S. A., 205 rue Americaine, Ixelles, Brussels, Belgium.	8-3-49	Duration.....	General and validated licenses, all commodities, any destination. (Company related to Bernard Liebermann, which see.)	14 F. R. 4913, 8-9-49.
American Helicon Corp., 17 Battery Pl., New York, N. Y.	10-14-48	.....do.....	General and validated licenses, all commodities, any destination.	13 F. R. 6122, 10-20-48.
Andre, Mary Gonzalez, Andre Trading Co., Andre, Inc., M. G., 640 Riverside Dr., New York, N. Y.	9-12-52	12-15-53..... (12-15-55). ¹	General and validated licenses, all commodities, any destination; also exports to Canada.	17 F. R. 8393, 9-19-52.
Arnholz, Thomas A., 1 Hansen Pl., Brooklyn, N. Y.	1-18-52	7-18-52..... (1-18-54). ¹	General and validated licenses, all Positive List commodities, any destination. Non-Positive List commodities, if validated license is required.	17 F. R. 670, 1-22-52.
Beck-Kassel (USA), Inc., 32 Broadway, Room 609, New York 4, N. Y.	2-20-53	2-20-55..... (2-20-56). ¹	General and validated licenses, all commodities, any destination; also exports to Canada.	18 F. R. 1142, 2-27-53.
Bel Export Co., 60 Broad St., New York, N. Y.	11-3-52	11-3-53.....	General and validated licenses, all Positive List commodities, any destination.	17 F. R. 10149, 11-8-52.
Belmax Corp., 1180 Broadway, New York, N. Y.	8-3-49	Duration.....	General and validated licenses, all commodities, any destination.	18 F. R. 1806, 4-3-53. 14 F. R. 4913, 8-9-49.
Benedetti, Nicholas R. 692 Broderick St., San Francisco, Calif.	3-31-49	.....do.....	.....do.....	14 F. R. 1639, 4-8-49.
Benavente Acosta, Rafael (also uses following names: Rafael or Ray Benavente or Benaventes), P. O. Box 931, Calexico, Calif., and 170 Calle Azteca, Mexicali, B. O., Mexico.	5-19-53	7-10-53.....	General and validated licenses, all commodities, and destination; also exports to Canada.	18 F. R. 2565, 5-22-53.
Benavente y Arciniega, S. de R. L., 170 Calle Azteca, Mexicali, B. O., Mexico.	5-19-53	7-10-53.....	.....do.....	18 F. R. 2562, 5-22-53.
Berk, Milton, 1457 Le Jeune Rd., Coral Gables, Miami, Fla.	5-25-49	Duration.....	General and validated licenses, all commodities, any destination.	14 F. R. 2392, 6-1-49.
Berwin Trading Co., Inc., 15 Park Row, New York 38, N. Y.	4-23-53	.....do.....	General and validated licenses, all commodities, any destination; also exports to Canada.	18 F. R. 2451, 4-23-53.
Beydoun, Ihsan M., 85-80 London House, Loveday St., POB 5102, Johannesburg, Union of South Africa.	4-21-51	.....do.....	General and validated licenses, all commodities, any destination.	16 F. R. 3671, 4-23-51.
Bialick, William E., 103 Liberty St., New York, N. Y.	3-7-52	6-7-52..... (9-7-53). ¹	Validated licenses, all commodities, any destination; also exports to Canada.	17 F. R. 2137, 3-12-52.
Bilik, John, Jr., International Trade Mart, 124 Camp St., New Orleans, La.	2-13-52	Until further notice.	No participation all commodities, general or validated licenses, as carrier, forwarder, exporter, or otherwise.	17 F. R. 1633, 2-19-52.
Bluds, George c/o Caymax Corp., 60 Broad St., New York, N. Y.	11-3-52	11-3-53.....	General and validated licenses, all Positive List commodities, any destination.	17 F. R. 10149, 11-8-52. 19 F. R. 1806, 4-3-53.

¹ This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph (a) (1) of this section.

• This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph (c) (1) of this section.

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Havona Trading Corp., 1 Wall St., New York, N. Y.	6-12-51	6-12-51	General and validated licenses all commodities, any destination	14 F. R. 4013, 8-0-49
Hecht, Eugene, 1477 Shattuck St., W. Montreal 26, Canada, and 405 Lexington Ave., New York, N. Y.	6-20-52	6-20-52 (6-20-57) 1	General and validated licenses all commodities, any destination; also exports to Canada	16 F. R. 5815, 6-10-51
Idelco, Bollen, 170 Calle Azulela, Mexico, D. F., Mexico.	5-19-53	7-10-53	do	15 F. R. 5031, 6-10-51
Illford Corp., 32 Broadway, New York 4, N. Y.	2-20-53	2-20-53 (2-20-56) 1	do	16 F. R. 2889, 6-10-51
Holland, Bertram, Esq., 401 Broadway, New York 13, N. Y.	3-0-53	3-0-53	do	15 F. R. 5031, 6-10-51
Immer, Fern N., Santa Ana No 104, Havanna, Cuba.	4-28-53	4-28-53 (4-27-54) 1	do	16 F. R. 2889, 6-10-51
Intercontinental Import-Export S. A., 70 rue du Lombard, Brussels, Belgium	9-21-51	Duration	General and validated licenses all commodities, any destination	17 F. R. 5303, 9-18-52
Industrial Specialty Co., Ltd., 18 Buckingham Gate London S. W. 1, England.	12-8-50	do	do	14 F. R. 5207, 8-16-49
Industrie Commerciale Coloniale, Societa (S. I. C. O. A.), 21 Viale Montegrappa, and Via Fra Bartolomeo, Prato Italy and Via Strozzi, Florence, Italy	4-14-52	do	General and validated licenses all commodities, any destination (Company related to Dante Corti which see)	14 F. R. 4013, 8-0-49
Intercontinental Import-Export S. A., 70 rue du Lombard, Brussels, Belgium	8-3-49	do	General and validated licenses, all commodities, any destination (Company related to Bernard Liebermann which see)	18 F. R. 5303, 2-17-53
Irex, Agneda Commercial de Meyer, Goldschmidt & Company, S. A., 10 rue de la Loi, Brussels, Belgium	4-23-53	7-23-53 (10-27-53) 1	General and validated licenses, all commodities, any destination; also exports to Canada	17 F. R. 5303, 9-18-52
Itala, G. O. 21 Viale Monte Brappi, Prato, Italy	4-14-52	Duration	General and validated licenses all commodities, any destination (Company related to Dante Corti which see)	16 F. R. 2889, 6-10-51
Jackson, George, 18 Buckingham Gate, London S. W. 1, England.	12-8-50	do	General and validated licenses all commodities, any destination	14 F. R. 5207, 8-16-49
Jank, Carl, Lehman Galses Carl Lehman, 340 Seund Beach Ave., Old Greenwich, Conn.	12-23-50	5-12-53 (5-12-56) 1	do	16 F. R. 2889, 6-10-51
Jean Export & Import Co., Inc., 17 Battery Pl., New York, N. Y.	10-23-52	11-15-53 (11-15-57) 1	General and validated licenses, all commodities, any destination; also exports to Canada	14 F. R. 1533, 3-23-49
Kozantek, Theodor E., 17 Battery Pl., New York, N. Y.	10-15-49	Duration	General and validated licenses, all commodities, any destination	14 F. R. 1533, 3-23-49
Kuders, Clem, 11 Via Trento, Trieste, Free Territory of Trieste.	12-5-50	do	do	16 F. R. 2889, 6-10-51
Kuhre, Theodor E., 201 Franklin St., New York 22, N. Y.	7-23-50	do	do	16 F. R. 2889, 6-10-51
Kuhre, Theodor E., 201 Franklin St., New York 22, N. Y.	8-23-49	do	do	16 F. R. 2889, 6-10-51
Kuhre, Theodor E., 201 Franklin St., New York 22, N. Y.	9-21-51	do	do	16 F. R. 2889, 6-10-51
Kuhre, Theodor E., 201 Franklin St., New York 22, N. Y.	4-23-53	do	do	16 F. R. 2889, 6-10-51
Kuhre, Theodor E., 201 Franklin St., New York 22, N. Y.	6-12-51	6-12-51	do	16 F. R. 2889, 6-10-51
Kuhre, Theodor E., 201 Franklin St., New York 22, N. Y.	3-10-50	Duration	do	16 F. R. 2889, 6-10-51
Kuhre, Theodor E., 201 Franklin St., New York 22, N. Y.	11-12-52	6-12-53 (6-12-54) 1	do	16 F. R. 2889, 6-10-51

1 This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph (6) (i) of this section.

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Pat, Peter H. T., Room 502 01 Kwan Bldg., 63 Des Voeux Rd C, Hong Kong.	5-25-53	5-1-55	General and validated licenses all commodities, any destination; also exports to Canada.	15 F. R. 3073 5-23-53
Panchaud, Gerald Stanley, Pan Panchaud, John Braithwaite, 18 Buckingham Gate London S W 1, England.	12-8-50	Duration	General and validated licenses, all commodities any destination.	16 F. R. 8868 12-14-50
Paulsen American Corp., Paulsen Co., Inc., Paulsen International Corp. 121 Broad St. New York 4 N. Y.	2-20-53	2-20-55 (2-20-56) ¹	General and validated licenses all commodities, any destination; also exports to Canada.	18 F. R. 1142 2-27-53
Paulsen, Yehje Jesus, 687 Agnesa Plantes Ave., Montreal, B. C. Max. Plantes, 1150 Broadway New York 38, N. Y.	5-18-53	7-10-53	do	18 F. R. 2062 5-22-53
Pulping, N. C. Co., 805 McEachern Ave., Montreal, Quebec, Canada.	10-20-52	11-18-52 (11-18-53) ¹	do	17 F. R. 9568 10-21-52
Pulping, N. C. Co., 805 McEachern Ave., Montreal, Quebec, Canada.	3-0-53	3-0-53	do	18 F. R. 1406 3-1-53
Reitzberger, John, 188 W 23d St., New York, N. Y.	3-24-50	Duration	General and validated licenses, all commodities any destination.	15 F. R. 1821 3-30-50
Rex Continental Corp., c/o Bertram Holland, Esq., 401 Broadway, New York 13, N. Y.	3-0-53	3-0-53	General and validated licenses, all commodities, any destination; also exports to Canada.	18 F. R. 1400 3-11-53
Rex Royon Corp., 40 E 10th St., New York 3, N. Y., and c/o Arthur Gilbert, 67-23 182d St., Flushing Queens Long Island, N. Y.	3-0-53	3-0-53	do	18 F. R. 1400 3-11-53
Royal Industrial Co., 180 Broadway, Room 914 New York, N. Y.	4-23-53	Duration	do	18 F. R. 2481 4-28-53
"Rynhaven" N. V., Suwadoors, Opvang Controle en Expeditiebedrijf, Veerhaven 16 Rotterdam Netherlands.	9-24-51	do	General and validated licenses, all commodities, any destination; also exports to Canada.	16 F. R. 10088 10-3-51
Saenger, Marcel, 160 Nassau St., New York, N. Y.	3-1-53	8-1-53 (2-1-55) ¹	General and validated licenses, all commodities any destination.	18 F. R. 1570 3-10-53
Sarr, Martin, Edificio Western Union Obispo 351 Havana D No. 6 Cuba.	4-28-53	7-28-53 (10-27-53) ¹	General and validated licenses, all commodities any destination.	18 F. R. 2623 6-4-53
Satis, A. G., Boersenstrasse 10 Zurich, Switzerland.	9-24-51	Duration	General and validated licenses, all commodities any destination.	16 F. R. 10088 10-3-51
Satis S A Melville Switzerland	9-24-51	do	do	16 F. R. 10088 10-3-51
Schmerer, Leonard, Schmeier & Co Leonard, Room 608 90 Broad St., New York, N. Y.	9-10-52	12-13-54	General and validated licenses, all commodities, any destination; also exports to Canada.	17 F. R. 8551 9-25-52
Schmoll Filz-Deery Corp., 110 Fulton St., New York 7 N. Y.	1-27-53	5-27-53 (9-27-53) ¹	General and validated licenses, all commodities any destination.	18 F. R. 671 1-31-53
Semadis & Co., Semadis, Peter K 641 8th Ave., New York, N. Y.	3-24-49	Duration	do	14 F. R. 1905 4-3-49
Shen, O F., 1 Wall St., New York N. Y.	6-12-51	6-12-54	General and validated licenses, all Positive List commodities any destination.	16 F. R. 8845 6-10-51
Sherman International Ltd., Room 608 90 Broad St. New York N. Y.	9-10-52	12-13-54	General and validated licenses, all commodities, any destination; also exports to Canada.	17 F. R. 8551 9-25-52
Shulman, Alvin E., 345 Fifth Ave New York, N. Y.	2-10-53	8-9-54 (2-9-56) ¹	do	18 F. R. 940 2-17-53
Siegel, O. Co., Inc., Siegel Chemical Export Corp., Siegel International Inc., Siegel, Robert 1 Hanson Pl Brooklyn N. Y.	1-18-52	7-18-52 (1-18-53) ¹	General and validated licenses, all Positive List commodities, if val dated license is required.	17 F. R. 670 1-22-52
Silverberg, David M., 830 W 180th St. New York N. Y.	9-12-52	12-15-53 (12-15-56) ¹	General and validated licenses, all commodities, any destination.	17 F. R. 8338, 9-13-52
Smith, Kingsley R., Soong E Y., 1 Wall St., New York N. Y.	6-12-51	6-12-54	General and validated licenses, all Positive List commodities any destination.	16 F. R. 8345 6-10-51
Stevens & Co., S. A. Compolt N Y., Paul Stevens, Paul 21 Kipdorf, Antwerp, Belgium.	9-17-51	Duration	General and validated licenses, all commodities, any destination.	16 F. R. 937 9-21-51
Stonchul, G. C. B. Buckingham Gate, London, E W 1, England.	12-8-50	do	do	15 F. R. 883 12-14-50

¹ This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph (c) (1) of this section.

This part of the amendment shall be-
come effective as of June 25 1953
10 Section 384 8 Orders modifying
validity of certain export licenses para-
graph (f) Extension of validity period
for licenses issued against Second Quar-
ter of 1953 CMP allotments is amended
by substituting for 'which expire on or
before June 30 1953 the following:
' which expire on or before September
29, 1953'

This part of the amendment shall be-
come effective as of June 25 1953
11 Section 398 5 CMP: Export allo-
cations and procedures is amended to
read as follows:

§ 398 5 DMS: Export allocations and
procedures—(a) Defense Materials Sys-
tem as applied to exports—(1) Defense
Materials System A Defense Materials
System (DMS) governing the distribu-

tion of certain materials has been estab-
lished by the National Production
Authority This system operates under
a series of NPA regulations identified as
'DMS Regulations 1 (production)' and
(2) Applicability of DMS to exports
DMS regulations govern the distribution
of nickel-bearing stainless steel to all
consumers i e, exporters as well as
domestic United States producers using
these materials This section sets forth
the supplementary rules and procedures
which will be followed by the Office of

¹ DMS regulations are issued by the NPA
and may be obtained from Department of
Commerce field offices and from the Dis-
tribution Office National Production Autho-
rity, Department of Commerce New GAO
Building, Fourth and G Streets NW, Wash-
ington 25 D C

International Trade and exporters in connection with exports of nickel-bearing stainless steel to all destinations except Canada.

(3) *Allotment symbol for nickel-bearing stainless steel materials.* (i) In order to assure, as nearly as possible, maximum fulfillment of essential export demand for nickel-bearing stainless steel materials within established quotas, the Office of International Trade assigns exporters the right to apply allotment symbols for the procurement of nickel-bearing stainless steel materials licensed for export.

(ii) The authority to assign allotment symbols is delegated to the Office of International Trade by the National Production Authority, and is limited to quantities not in excess of established export quotas. The manner of assignment of such allotment symbols is set forth in detail in paragraph (b) (2) of this section. While the Office of International Trade has authority to assign allotment symbols to the limit of the applicable export quota, no allotment symbol is assigned in connection with a licensed exportation of nickel-bearing stainless steel commodities already in the possession of the exporter, since the allotment symbol is granted only to assist in procurement. (However, licenses issued for material available to the exporter without an allotment must be charged against export quotas.)

(4) *Export quotas for nickel-bearing stainless steel commodities.* (i) The total amounts of nickel-bearing stainless steel materials moving into export (to destinations other than Canada) are limited by quarterly export quotas announced in Current Export Bulletins. Charges are made against nickel-bearing stainless steel material quotas when licenses are granted for the export of such materials.

(ii) Established export quotas are ceilings on exports of certain materials. The Office of International Trade cannot approve export license applications beyond the limits of such quotas. Thus, in general, when the quota for a particular quarter has been exhausted, the Office of International Trade cannot approve further applications for export in such quarter even though the nickel-bearing stainless steel materials are available to the exporter and no supply assistance is required.

(b) *Procedures governing applications to export nickel-bearing stainless steel materials—*(1) *How and when to apply for export licenses.* Applications for licenses to export nickel-bearing stainless steel materials will be filed in accordance with the provisions prescribed in Parts 370 to 399, inclusive, of this subchapter. Applications must be filed in accordance with time schedules for filing established in § 373.71 of this subchapter. (See §§ 398.5 (b) (4), 398.5 (c) and 398.8 (k) for exceptions to established time schedules.)

(2) *Assignment of allotment symbols.* (i) On all licenses approved for nickel-bearing stainless steel materials under

the Defense Material System, where the allotment symbol is needed by the applicant, the Office of International Trade assigns to the applicant the right to apply a specified allotment number and symbol to procure the material covered by the license. The DMS allotment symbols designated by the Office of Defense Mobilization for export are SS and C-6.¹

(ii) The allotment symbol will be assigned by the Office of International Trade by endorsing the validated license (or other appropriate document) with the following or similar legend:

By authority of the NPA, the exporter herein named is assigned the right to apply the symbol (e. g., SS-3Q-53) to procure the above described materials.

(3) *Request for change or conversion of DMS allotments.* If a licensee holding a validated license for nickel-bearing stainless steel materials is unable to place his order during the quarter specified on the face of the license, or for any other reason requires a change in his allotment symbol he may request conversion of his DMS allotment symbol to a symbol valid for a subsequent quarter (re-allotment), by submitting to the Office of International Trade, Washington 25, D. C., Form IT-763, "Request for and Notice of Amendment Action," in accordance with the provisions of § 380.2 of this subchapter. In addition to the information required on Form IT-763, each request for conversion of the allotment symbol shall include:

(i) The statement "DMS Re-Allotment from ----- to ----- Quarter."

(ii) The amount of material for which conversion of allotment symbol is requested.

(iii) If applicable, a request for extension of expiration date of the export license.

(iv) A list of suppliers with whom the licensee has attempted unsuccessfully to place his order during the quarter specified on the export license, with a statement, describing such attempts, including dates thereof, with respect to each such supplier, or copies of correspondence with such suppliers which substantiates the licensee's unsuccessful attempts to place his order during such period.

NOTE: Quantities of nickel-bearing stainless steel materials covered by those re-allotment requests which are approved by OIT must be charged against current quotas. A reserve may be held by OIT for consideration of these requests, but no assurance can be given that all such requests will be approved. Such re-allotment requests as the licensee must file should be submitted to OIT as soon as it becomes evident that the order cannot be delivered in the quarter originally authorized.

(4) *Request for change of SS allotment symbol to C-6 allotment symbol.* A licensee holding a validated license for nickel-bearing stainless steel materials carrying the allotment symbol SS who believes that a C-6 allotment symbol would be more appropriate because the

shipment is destined for direct defense needs in friendly foreign nations, may request a change of his priority rating symbol. In such cases, he should submit to the Office of International Trade, Washington 25, D. C., Form IT-763, "Request for and Notice of Action Amendment," in accordance with the provisions of § 380.2 of this subchapter. In the case of project licenses, the request should be made by letter, fully justifying the need for the change to a C-6 allotment symbol. Such requests should be addressed to the Office of International Trade, Attention: Projects and Technical Data Division, Washington 25, D. C.

(5) *Foreign defense end-use.* Applications for export licenses covering proposed shipments of nickel-bearing stainless steel materials for direct defense use in friendly foreign countries must clearly specify on the applications, Form IT-419, in the space provided for explanation of end-use, or in attached documents, the relationship of the application to the Mutual Defense Assistance program or direct defense activity of a friendly power.

(c) *Exceptions to time schedules for commodities with the processing code STEE.* Section 373.71 establishes time schedules for submission of applications for licenses to export nickel-bearing stainless steel materials. Under the conditions set forth herein, an exception to these time schedules is granted. If an applicant has in his possession or at his command nickel-bearing stainless steel materials with the processing code STEE that he wishes to export and they are ready for prompt shipment, or will be ready within the current or immediately succeeding quarter, an application may be submitted to the Office of International Trade at any time. In each such instance, the applicant must clearly indicate on the face of his application (1) that the material is ready for export and that an allotment is not required or (2) that there is mill space which will be made available to the applicant upon issuance of a SS allotment on a mill schedule for the current or next succeeding quarter. Applicant must submit appropriate documentary evidence (letters, telegrams, invoices, bills of sale, mill notice of availability, or other documents, as may be applicable) to substantiate the statements that the material is in his possession or at his command and is ready for export or will be ready for export within the current or immediately succeeding quarter and that an allotment is not required or that there is mill space which will be made available to the applicant upon issuance of a SS allotment on a mill schedule for the current or next succeeding quarter. Acceptance of applications meeting these conditions is not to be construed as assurance of approval by the Office of International Trade, since quota considerations or end-use restrictions may make this impossible.

This part of the amendment shall become effective as of July 1, 1953.

¹ Direct defense end-use.

16th Gen Rev of Export Regs Amdt 45.1

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 Appendix A—Positive List of Commodities is amended in the following particulars:

1 General Notes to Appendix A paragraph (h) Explanation of symbols in column headed 'Commodity Lists' is amended by deleting the following entry:

Symbol	Special requirement referred to—	Section
O	Controlled materials identification	398.5

LOKING K MACY

*Director
Office of International Trade*

This part of the amendment shall become effective as of July 1 1953

2 The following commodities are added to the Positive List:

Dept. of Com merce Schedule B No.	Commodity	Unit	Processing code and related commodity group	CIY dollar value limits	Validated license required
910050	Gyroscopic compasses and repeaters ^{1,2}	No	SATE	None	RO
910050	Parts, n.e.c., specially fabricated for gyroscopic compasses and repeaters ^{1,2}	No	SATE	None	RO

¹ The above commodities are added to the commodities subject to the IC/DV procedure (see § 373.2 of this subchapter).

² Aircraft gyroscopic compasses and repeaters and parts therefor, require export authorization from the Department of State (see § 370.4 of this subchapter)

This part of the amendment shall become effective as of 12:01 a. m. July 2 1953

3 The following commodities are deleted from the Positive List:

Dept. of Com merce Schedule B No.	Commodity
642050	Abrasive products: Aluminum wool.
642050	Bronze wool.
619350	Metal manufactures, n.e.c., and parts, n.e.c.: Other metals, except precious (Specify by name and type of metal): Thin collapsible tubes ¹

¹ By this amendment, the ninth entry presently on the Positive List under Schedule B No. 619350 is revised to read as follows: "Thin shot; tin slugs"

This part of the amendment shall become effective as of 12:01 a. m. June 25 1953

² This amendment was published in Current Export Bulletin No. 706 dated June 25 1953

4 The following revisions are made in commodity descriptions:

Dept. of Com merce Schedule B No.	Commodity	Unit	Processing code and related commodity group	CIY dollar value limits	Validated license required
601702	Alloy steel including stainless:	S ton	STEEL	100	/ RO
601702	Ingot, non nickel-bearing stainless steel ¹	S ton	STEEL	100	RO
601810	Semi-finished, material for seamless pipe and tubing	S ton	STEEL	100	RO
601810	Semi-finished material for seamless pipe and tubing non nickel bearing stainless steel ¹	S ton	STEEL	100	RO
601810	Wire rods nickel-bearing stainless steel ¹	Lb	STEEL	100	RO
601810	Wire rods, non nickel-bearing stainless steel ¹	Lb	STEEL	100	RO
601810	Strip, non nickel-bearing stainless steel ¹	Lb	STEEL	1,000	RO
601810	Strip, non nickel-bearing stainless steel ¹	Lb	STEEL	1,000	RO
601810	Structural shapes, not fabricated:	Lb	STEEL	1,000	RO
601810	Nickel-bearing stainless steel ¹	S ton	STEEL	1,000	RO
601810	Non nickel-bearing stainless steel ¹	S ton	STEEL	1,000	RO
601810	Forgings, rough and semi finished:	Lb	STEEL	100	RO
601810	Other nickel bearing stainless steel forgings ¹	Lb	STEEL	100	RO
601810	Other alloy steel forgings non nickel bearing ¹	Lb	STEEL	100	RO

¹ The above two entries are substituted for the second entry presently on the Positive List under Schedule B No. 601702. The effect of this revision is to require separate license applications for the nickel bearing stainless steel commodities.

² The above two entries are substituted for the fourth entry presently on the Positive List under Schedule B No. 601810. The effect of this revision is to require separate license applications for the nickel bearing stainless steel commodities.

³ The above two entries are substituted for the third entry presently on the Positive List under Schedule B No. 601810. The effect of this revision is to require separate license applications for the nickel bearing stainless steel commodities.

⁴ The above two entries are substituted for the third entry presently on the Positive List under Schedule B No. 601810. The effect of this revision is to require separate license applications for the nickel-bearing stainless steel commodities.

⁵ The above two entries are substituted for the entry presently on the Positive List under Schedule B No. 604530. The effect of this revision is to require separate license applications for the nickel bearing stainless steel commodities.

⁶ The above two entries are substituted for the second entry presently on the Positive List under Schedule B No. 610495. The effect of this revision is to require separate license applications for the nickel bearing stainless steel commodities.

This part of the amendment shall become effective as of 12:01 a. m. June 25 1953

5 The letter 'C' wherever set forth in the column headed "Commodity Lists" is deleted in view of the termination of the Controlled Materials Plan

This part of the amendment shall become effective as of July 1, 1953

6 The commodity list designations shown on the Positive List in the column headed "Commodity Lists" opposite the following commodity entries are revised as set forth in the footnotes below:

Dept. of Com merce Schedule B No.	Commodity
642050	Abrasive products: Iron and steel shot, chilled ^{1,2}
601702	Revolving material (report relaying rails in 603300) ¹
601702	Iron bars ¹
601702	Strip wrought iron ¹

See footnotes at end of table.

Dept. of Com merce Schedule B No.	Commodity
601205	Iron pipe:
601207	Wrought iron pipe welded black ¹
601211	Cast iron pressure pipe, welded galvanized ¹
601211	Steel pipe, welded, slabs sheet bars
601211	Carbon steel:
601211	Ingot ¹
601211	Billets (except projectile and shell steel)
601211	Billets (except projectile and shell steel)
601211	blooms slabs, sheet bars and tin plate bars ¹
601211	Alloy steel including stainless:
601211	Ingot, alloy steel, except stainless ¹
601211	Billets (except projectile and shell steel), blooms, slabs, sheet bars, and tin-plate bars, alloy steel, except stainless ¹
601211	Billets, blooms, slabs, and sheet bars, non nickel bearing stainless steel ¹
601211	Tube rounds, carbon steel ¹
601211	Other semi-finished material for seamless pipe and tubing, carbon steel ¹
601211	Semi-finished material for seamless pipe and tubing, alloy steel ¹
601211	Wire rods, alloy steel, except stainless ¹
601211	Strip, carbon steel (report strip wrought iron in 601203) ¹
601211	Strip, alloy steel, except stainless ¹

Dept. of Commerce Schedule B No.	Commodity	Dept. of Commerce Schedule B No.	Commodity	Dept. of Commerce Schedule B No.	Commodity
	Steel bars, including bar size shapes: Bars, cold finished (all cold drawn or cold rolled flats, rounds, or special sections in coils or cut lengths): 602010 Die steel bars, carbon steel. ¹ 602010 Other carbon steel bars. ¹ 602050 Non-nickel-bearing stainless steel. ² 602050 Alloy, except stainless. ¹ 602210 Bars, concrete reinforcement (all concrete reinforcing bars, whether plain, deformed, round, or square and rolled from new billet steel, rail steel, or axle steel, in coils or cut lengths). ¹ Bars, hot-rolled, except tool and hollow drill steel bars (all regular bars and special sections and bar shapes under 3 inches) (report tool steel bars in 602350 and hollow-drill steel bars in 602370): Carbon steel: 602310 Bars, projectile and shell steel. ¹ 602350 Die steel bars. ¹ 602350 Other carbon steel bars. ¹ 602500 Non-nickel-bearing stainless steel. ² Alloy steel, except stainless: 602510 Bars, projectile and shell steel. ¹ 602530 Bars, except projectile and shell steel. ¹ Tool steel bars: 602550 Carbon steel. ¹ 602570 Hollow drill steel bars: Carbon steel. ¹ Steel plates, including boiler plate (hot or cold-rolled), not fabricated: 603125 Carbon steel. ³ 603135 Non-nickel-bearing stainless steel (include stainless-clad plates). ² 603145 Alloy steel, except stainless. ¹ Steel sheets, black, ungalvanized (including painted): Carbon steel (including black iron sheets) (report tin-mill black plate in 603910): 603525 Hot-rolled. ¹ 603535 Cold-rolled. ¹ Stainless steel: 603540 Hot-rolled, non-nickel-bearing. ² 603550 Cold-rolled, non-nickel-bearing. ² Alloy steel, except stainless: 603570 Hot-rolled. ¹ 603580 Cold-rolled. ¹ Steel sheets, galvanized (all steel grades): Corrugated and formed galvanized sheets, including roofing, corrugated, V-cripp, and channel drain; ridge roll, valley, and flashing (except flat); siding, corrugated and brick. ¹ 603592 Flat galvanized sheets, including flashing. ¹ 603594 Steel sheets, coated (all steel grades), except waste-waste roofing long term sheets and other waste-waste long term sheets (report galvanized steel sheets in 603591-603592). ¹ 603595 Electrical (steel) sheets, and strip, transformer grades. ¹ 603595 Other electrical (steel) sheets, and strip. ¹ 603596 Steel sheets for enameling (all steel grades). ¹ Steel strip, coated or uncoated, except electrical (report electrical steel strip in 603595): 603710 Cold-rolled carbon steel strapping. ^{1,2} 603710 Other cold-rolled carbon steel, gilding metal clad. ¹ 603710 Other cold-rolled carbon steel. ¹ 603750 Cold-rolled non-nickel-bearing stainless steel. ² 603790 Cold-rolled alloy steel, except stainless. ¹ 603810 Hot-rolled carbon steel strapping. ^{1,2} 603810 Other hot-rolled carbon steel, gilding metal clad. ¹ 603810 Other hot-rolled carbon steel. ¹ 603850 Hot-rolled non-nickel-bearing stainless steel. ² 603910 Tin mill black plate, except rejects (including misprints and strips), wasters, and waste-wasters. ¹ Tin mill products: Tin plate: 604110 Hot dipped (production plate). ¹ 604150 Electrolytic coated (production plate). ¹ 604170 Other tinplate, decorated, embossed, lithographed, lacquered, or otherwise advanced. ¹ 604180 Short term plate, except waste-waste (report long term sheets in 603594). ¹ Structural shapes and piling: Structural shapes, not fabricated: Carbon steel. ³ 604510 Alloy steel, except stainless. ¹ 604550 Sheet piling (all steel grades). ³ 605000 Rails, trackwork and track accessories: Rail joints and splice bars: Carbon steel. ¹ 605420 Tie plates. ¹ 605450 Switches, frogs, and crossings: Carbon steel. ^{1,2} 605510 Alloy steel, including stainless. ² 605500 Track spikes. ¹ 605500 Railway bolts, nuts, washers, and lock nuts. ^{1,2} 605550 Trackwork and track accessories, n. e. c. (report rail bonds in 703495). ^{1,2}	Pipe, tubes, and tubing, n. e. c. (pipe assemblies specially fabricated for particular machines or equipment should be reported as parts of such machines or equipment): Pressure tubes and tubing (including boiler tubes and tubing): Carbon steel, seamless. ¹ 605010 Carbon steel, welded. ¹ 605030 Alloy steel, except stainless, seamless (report stainless in 605050). ¹ 605110 Alloy steel, except stainless, welded (report stainless in 605050). ¹ Oil country pipe (including drill pipe, casing and tubing) (see § 692.2, Int. 1): 605210 Seamless, carbon steel. ³ 605230 Seamless, alloy steel, except stainless. ³ 605240 Welded, carbon steel. ³ 605250 Welded, alloy steel, except stainless. ³ Line pipe, carbon and alloy steel, except stainless (see § 692.2, Int. 1): 605270 Seamless, carbon steel. ^{1,4} 605270 Seamless, alloy steel, except stainless. ^{1,4} 605280 Welded, carbon steel. ³ 605280 Welded, alloy steel, except stainless. ³ Standard pipe, carbon and alloy steel, except stainless: 605310 Seamless, black. ¹ 605330 Seamless, galvanized. ¹ 605350 Welded, black. ¹ 605350 Welded, galvanized. ¹ 607410 Mechanical tubing, carbon steel. ¹ 607420 Mechanical tubing, alloy steel, except stainless. ¹ 607500 Pipe and tubing, non-nickel-bearing stainless steel. ² 607710 Pipe and tubing, carbon steel, n. e. c. ¹ 607710 Pipe and tubing, alloy steel, except stainless, n. e. c. ¹ Steel wire, n. e. c. (all round, chapel, and flat wire regardless of use) (report electrical insulated wire and cable in 703510-703530): 608120 Uncoated wire, carbon steel. ¹ 608120 Uncoated wire, alloy steel, except stainless. ¹ 608120 Uncoated wire, non-nickel-bearing stainless steel. ¹ 608200 Galvanized wire (all steel grades) (report fencing and netting in 610947; barbed and twisted wire in 608200; and wire strand in 610053). ¹ Coated wire, except galvanized (all steel grades): Carbon steel. ¹ 608210 Alloy steel, except stainless. ¹ 608210 Non-nickel-bearing stainless steel. ² 608300 Barbed and twisted wire. ¹ Steel wire, n. e. c.: 609190 Musical instrument wire; and spring wire, piano grade. ¹ 609190 Other steel wire, n. e. c. ¹ Castings, iron and steel, rough and semi-finished: 610050 Other railway car wheels (chilled iron wheels). ¹ 610410 Cast carbon steel grinding balls. ^{1,2} 610431 Cast alloy steel grinding balls, except stainless. ^{1,2} 610491 Other alloy steel castings, except stainless. ¹ 610492 Stainless steel grinding balls. ³ 610492 Other castings, non-nickel-bearing stainless steel. ² 610493 Forgings, rough and semi-finished: Carbon steel grinding balls, rough or polished. ^{1,2} 610493 Other carbon steel. ¹ 610493 Alloy steel grinding balls, rough or polished, including stainless. ¹ 610495 Wheels, without axles (if alloy, specify and give analysis) (report chilled iron wheels in 610050): 610510 Railway car wheels, including trolley, iron. ² Wire springs (all steel grades) (report wire springs of nonferrous metal, except precious, in 610930): 615310 Bed and cushion springs, except complete bed springs. ^{1,2} 617005 Too bit blands and dies, and inserts for tool and rock drill bits: Other tool bit blanks, not ground. ¹ Basic hardware: Bolts, screws, nuts, rivets, and washers, n. e. c., not specially fabricated for particular machines or equipment (specify by name): 615201 Iron and steel (report railway track construction and maintenance hardware in 605500). ^{1,2} Nails, staples, spikes, and tacks: Wire nails, staples, and spikes (all nails, staples and spikes made from wire): 615207 Iron and carbon steel, except staples for office use and industrial stapling machine staples. ¹ 615207 Alloy steel, except staples for office use and industrial stapling machine staples. ¹	Basic hardware—Continued: Nails, staples, spikes, and tacks—Con. Nails, staples, and spikes, except wire: Cut nails. ¹ Pipe fittings not specially fabricated for particular machines or equipment: Iron pipe fittings: 615310 Cast-iron pressure pipe fittings. ² 615320 Malleable iron screwed pipe fittings. ² 615310 Iron pipe fittings, n. e. c. (specify by name) (report cast-iron soil pipe fittings in 615320). ^{1,2} 615321 Steel pipe fittings, stainless or alloy (specify by name and grade of steel). ² 615321 Steel pipe fittings, carbon (specify by name and grade of steel). ^{1,2} Fabricated steel products: Towers and poles, fabricated (specify by name). ^{1,2} 615301 Other structural shapes, fabricated (specify by name). ^{1,2} 615303 Plates, fabricated, punched or shaped, n. e. c. ¹ 615304 Perforated sheets, carbon steel. ^{1,2} 615304 Perforated sheets, alloy steel. ² 615305 Penstock for conducting water (sections fabricated from rolled steel plate). ^{1,2} 615307 Storage tanks, unlined (all steel grades) (specify type), welded or bolted, completely fabricated, shipped as such, or bolted tanks, field erected for petroleum. ^{1,2} 615307 All other storage tanks, unlined (all steel grades) (specify type), field erected (report tanks when used as shipping containers in 615012, 615022). ¹ 615371 Steel tanks, lined, n. e. c., for storage of gas or lower hydrocarbons, capable of withstanding pressures over 250 lbs. per square inch. ^{1,2} 615371 Other storage tanks, lined, n. e. c., and specially fabricated parts and accessories, n. e. c. (specify type) (for classifications of tanks as shipping containers see, 615011-615022; industrial processing tanks 703500). ^{1,2} 615373 Culverts and sections, corrugated or plain, coated or uncoated, with or without accessories. ^{1,2} 615375 Steel pipe, lined. ¹ 615376 Building, prefabricated and knockdown, with or without appliances: Iron and steel, except corn cribs, grain bins, and silos (specify by name). ^{1,2} 615370 Bridges, portable and knockdown, and specially fabricated parts, n. e. c. (all metals). ^{1,2} Shipping containers for oil, gas, and other liquids and solids (all metals) (report storage tanks in 615376 and 615371): Full shipping containers: Gas cylinders (specify tare weight of cylinders). ^{1,2} 615011 Other metal containers, except milk cans (specify tare weight of containers). ^{1,2} 615012 Unfilled: Gas cylinders of the following types only: (a) capable of withstanding internal pressures over 250 pounds per square inch; or (b) with a capacity of 5 or more gallons, fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A." ^{1,2} 615022 Other unfilled shipping containers: Unfilled steel shipping containers, except milk cans, of the following types only: (a) capable of withstanding internal pressures over 250 pounds per square inch; or (b) with a capacity of 5 or more gallons, fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A." ^{1,2} 615031 Welding rods and wires: Coated tubular steel electrodes or ceramic electrodes infused with steel (chief value steel) for underwater cutting (specify whether carbon, alloy, or stainless steel). ^{1,2} 615033 Iron and steel, nonelectric (specify whether carbon, alloy, or stainless steel). ^{1,2} Wire products, n. e. c. (report wire nails, staples, and spikes in 615207-615208): Chain link fence. ¹ 615047 Other fencing and netting (all metals). ¹ 615047 Wire-reinforcing fabric: 615033 Iron and steel welded fabric; and iron and steel welded mesh. ¹ Wire rope, cord, and cable, except guard rail and incubated (report guard rail in 615033 and insulated rope and strand in 703510-703570): 615031 Picture cord. ¹ 615031 Other unannealed iron and steel wire rope and cord. ¹		

See footnotes at end of table.

Dept. of Commerce Schedule B No.	Commodity
	Wire products, n. e. c. (report wire nails, staples, and spikes in 618267-618273)—Con. Wire strand, including guard rail cable (report strand wire in 608200):
619065	Pictura cord. ¹
619065	Other iron and steel wire strand. ¹
619067	Bag and bale ties (all metals). ¹
619069	Wire products, n. e. c., not specially fabricated for particular machines or equipment (specify by name and type of metal). ^{1,2}
619110	Metal powders: Carbonyl iron powder (for all purposes). ^{1,2}
	Metal manufactures, n. e. c., and parts, n. e. c. ²
610910	Iron and steel (specify by name): Punchings (including stampings), except electrical steel (report electrical steel punchings, including stampings, in 709920). ^{1,2}
619910	Steel shot, except abrasive (report abrasive steel shot in 542050). ^{1,2}
619910	Flexible tubing, except electrical. ^{1,2}
619910	Packing, non-nickel-bearing stainless steel. ²
619910	Tubular steel scaffolding equipment. ^{1,2}
709920	Electrical steel punchings, transformer grades. ¹
709920	Other electrical steel punchings (report iron and steel punchings except electrical in 619910). ¹
704900	Landing mats, aircraft. ²

¹ The letter "B" is deleted, thereby indicating that these commodities are not subject to the dollar-limit (DL) restrictions (see § 374.2 (e) of this subchapter).

² The letter "D" is deleted, thereby indicating that these commodities are not subject to evidence of availability requirements (see § 373.3 of this subchapter).

³ The letter "D" is added, thereby indicating that these commodities are subject to evidence of availability requirements (see § 373.3 of this subchapter).

⁴ Evidence of availability requirements (see § 373.3 of this subchapter) only apply to such pipe 16 inch and over in outside diameter.

This part of the amendment shall become effective as of June 25, 1953:

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth in Part 2 of this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., July 2, 1953, may be exported under the previous general license provisions up to and including July 25, 1953. Any such shipment not laden aboard the exporting carrier on or before July 25, 1953, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Supp. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director

Office of International Trade.

[F. R. Doc. 53-5886; Filed, July 7, 1953; 8:45 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Effective upon publication in the FEDERAL REGISTER, the positions listed below

are excepted from the competitive service under Schedule C.

§ 6.323 Department of Health, Education, and Welfare—(a) Office of the Secretary. * * *

(3) One confidential assistant to the Under Secretary.

* * * * *

(c) Social Security Administration.

(3) Director, Bureau of Federal Credit Unions.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 53-6006; Filed, July 7, 1953; 8:51 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6067]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MIRACLE HEARING AID, INC., ET AL.

Subpart—Advertising falsely or misleadingly: § 3.110 Indorsements, approval and testimonials; § 3.170 Qualities or properties of product or service. Subpart—Claiming or using indorsements or testimonials falsely or misleadingly: § 3.330 Claiming or using indorsements or testimonials falsely or misleadingly. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 3.1890 Safety. Subpart—Using misleading name—Goods: § 3.2325 Qualities or properties—Vendor: § 3.2450 Products. I. In connection with the offering for sale, sale or distribution of respondents' device designated as "Miracle Hearing Aid" or any other device of substantially similar construction or design or possessing substantially similar properties, whether sold under the same name or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of said device, which advertisements represent, directly or by implication: (a) That the use of said device enables persons with complete loss of hearing to hear; that its use improves the hearing of persons with impaired hearing; or that it is of any value as a hearing aid; (b) that physicians have approved this device; and (c) that the initial cost of said device is the only cost to the purchaser; and which fail to reveal that the use of said device may result in serious injury to the auditory canal and ear drum; and, II, in said connection using the words "Hearing Aid" or any other word or words of similar import or meaning as a part of respondent's corporate or trade name; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Miracle Hearing Aid, Inc., et al., East Orange, N. J., June 2, 1953.]

In the Matter of Miracle Hearing Aid, Inc., a Corporation, and Henry Pollack and Ruth Miller, Individually and as Officers of Said Corporation

This proceeding was heard by John Lewis, hearing examiner, upon the complaint of the Commission, the "Notice" portion of which provided that the failure of respondents to file timely answer and to appear at the time and place fixed for the hearing would be deemed to authorize the Commission and the hearing examiner to find the facts to be as alleged in the complaint and to issue an order in the form therein set forth.

Thereafter, following respondents' failure to file an answer to said complaint and to appear at the time and place fixed for hearing, the attorney in support of the complaint, at said hearing before said examiner, theretofore duly designated by the Commission, moved that the hearing be closed without the taking of testimony and that said examiner proceed, in due course, to find the facts to be as alleged in the complaint and issue an order to cease and desist in the form set forth in said "Notice"

Subsequently, following the granting of said motion by said examiner and the closing of the hearing, the proceeding regularly came on for final consideration by said examiner upon said complaint an said motion, and said examiner, having duly considered the record in the matter, and having found that the proceeding was in the interest of the public, and acting pursuant to Rules V and VIII of the rules of practice of the Commission, made his initial decision, comprising certain findings as to the facts,¹ conclusion drawn therefrom,¹ and order, including order to cease and desist and order of dismissal as to a deceased respondent.

Thereafter, no appeal having been filed from said initial decision of said hearing examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on June 2, 1953.

The said order to cease and desist is as follows:

It is ordered, That the respondent, Miracle Hearing Aid, Inc., a corporation, and its officers, and respondent Ruth Miller, individually and, as an officer of said corporation, and their respective representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their device now designated as Miracle Hearing Aid, or any other device of substantially similar construction or design or possessing substantially similar properties whether sold under the same name or any other name do forthwith cease and desist from, directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any

¹ Filed as part of the original document.

means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication:

(a) That the use of said device enables persons with complete loss of hearing to hear; that its use improves the hearing of persons with impaired hearing; or that it is of any value as a hearing aid.

(b) That physicians have approved this device.

(c) That the initial cost of said device is the only cost to the purchaser.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement fails to reveal that the use of said device may result in serious injury to the auditory canal and ear drum.

3. Disseminating or causing to be disseminated any advertisement, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said device in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representations prohibited in paragraph 1 of this order or which fails to comply with the affirmative requirements set forth in paragraph 2 of this order.

It is further ordered, That the respondent, Miracle Hearing Aid, Inc., a corporation, and its officers, and respondent Ruth Miller, individually and as an officer of said corporation, and their respective representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of their device now designated as Miracle Hearing Aid, or any other device of substantially similar construction or design or possessing substantially similar properties whether sold under the same name or any other name do forthwith cease and desist from directly or indirectly

Using the words "Hearing Aid" or any other word or words of similar import or meaning as a part of their corporate or trade name.

It is further ordered, That the complaint be, and it hereby is, dismissed as to respondent Henry Pollack, deceased.

By "Decision of the Commission and order to file report of compliance" Docket 6067, June 2, 1953, which announced fruition of said initial decision, report of compliance was required as follows:

It is ordered, That the respondents Miracle Hearing Aid, Inc., a corporation, and Ruth Miller, individually and as an officer of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have

complied with the order to cease and desist.

Issued: June 5, 1953.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 53-6015; Filed, July 7, 1953;
8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 538—ALLOTMENTS OF PAY

MISCELLANEOUS AMENDMENTS

1. In § 538.13 (a) (1) subdivision (i) is revised and a new subdivision (iv) is added as follows:

§ 538.13 *Class Q allotment*—(a) *Requirements*—(1) *General*. (i) Except as provided for in subdivisions (ii) and (iii) of this subparagraph, before an enlisted member is entitled to credit for basic allowance for quarters for dependents, he must have in effect an allotment of pay to be known as class Q to his dependent(s) (as required by the Dependents Assistance Act of 1950, as amended) in an amount at least equal to the applicable rate for basic allowance for quarters, plus:

(a) \$40, if service member is in grade E-1, E-2, or E-3;

(b) \$60, if service member is in grade E-4 or E-5; or

(c) \$80, if service member is in grade E-6 or E-7.

The allotment required for any month shall be based upon the lowest rate of basic allowance for quarters to which the member is entitled and the lowest pay grade in which the member is serving during such month; however, no change in allotment will be made for such month to meet this requirement. Therefore, if the member is promoted or demoted or acquires or loses a dependent after the first day of the month, he will be credited with an applicable amount for basic allowance for quarters for such period, but no change in allotment is required for that month; however, if the change results in an increase in the amount of the class Q allotment requirement, a new class Q allotment will be required, effective the first day of the following month in an applicable amount. An administrative class Q allotment may be made in the event a service member is promoted to grade E-4 or grade E-6 and is not available for reasons beyond his control to execute the allotment form; this is not to be considered as a new allotment. If a member acquires a dependent on the first day of the month or is promoted effective on the first day of the month, or both, the applicable increase in the minimum amount required to be allotted must be effective for such month instead of the first of the succeeding month. If a member is demoted, loses a depend-

ent, or is assigned quarters, on the first day of the month, the class Q allotment forms necessary to reduce or discontinue the allotment will be effective not earlier than the end of the month in which the request for reduction or discontinuance is submitted. In no circumstances will retroactive discontinuances or reductions be processed, since payments of the allotments already have been made to the allottees. Any necessary adjustments will be made on the military pay record. The total class Q allotment(s) of an enlisted member must not be less than the amount of the class Q allotment(s) required to be established but may exceed such figure.

(iv) Should the disbursing officer receive information that an enlisted member, whose determination for dependency is pending, is to be separated and does not intend to reenlist, request for the dependency status will be made immediately to the Commanding General, Finance Center, U. S. Army, Indianapolis 49, Indiana, furnishing information that the service member is to be separated. If less than 20 days' advance notice is received, the disbursing officer will make such request by radiogram.

2. In § 538.13 (a) (3) subdivisions (i), (ii), and (iii) are revised as follows:

§ 538.13 *Class Q allotment*—(a) *Requirements*. * * *

(3) *Months not required*. No class Q allotment(s) will be required for the calendar month:

(i) In which the member enters the active military service in a pay status if the allotment is effective from the first day of the following month;

(ii) In which such member is released from the active military service or is discharged if not immediately reenlisted. The class Q allotment will be discontinued the end of the month preceding separation; however, should there be insufficient time for the allotment discontinuance form to reach the Finance Center, U. S. Army, Indianapolis 49, Indiana, by the 20th of the month, the class Q allotment will be discontinued at the end of the month in which separation occurs;

(iii) In which such member is assigned Government quarters for himself and his dependents or assignment of such quarters is terminated. When members are assigned quarters, entitlement to basic allowance for quarters will cease but existing class Q allotments will not be discontinued unless the member so desires.

3. In § 538.13 (b) (2) subdivision (i) is revised as follows:

§ 538.13 *Class Q allotment*. * * *

(b) *Application by or on behalf of dependent*. * * *

(2) (i) *Wife or child*. Upon application by or on behalf of a wife or child, the enlisted member will be advised by his immediate commanding officer that

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order 27]

DMO 27—REESTABLISHMENT OF THE FACILITIES PROTECTION BOARD

By virtue of the authority vested in me by Executive Order 10461, it is hereby ordered:

1. There is reestablished the Facilities Protection Board which shall consist of a representative of the Office of Defense Mobilization, who is hereby designated Chairman of the Board, and a representative designated by the head of each of the following agencies:

Department of Defense.
Department of the Interior.
Department of Agriculture.
Department of Commerce.
Department of Labor.
Atomic Energy Commission.
Federal Civil Defense Administration.
General Services Administration.

and such other agencies as the Director of the Office of Defense Mobilization may from time to time designate.

2. The Facilities Protection Board shall assist and advise the Director of the Office of Defense Mobilization in carrying out the functions vested in him by Executive Orders 10421 and 10438 as he may deem necessary. This shall include but not be limited to advice and assistance with respect to:

a. Policies and programs governing the activities of Federal agencies with respect to the physical security of facilities;

b. The development and promulgation of standards for physical security to be applicable to facilities;

c. The assignment of rated facilities to departments and agencies for performance of the functions outlined in section 3 (b) (3) of E. O. 10421, and

d. Such other matters pertaining to physical security of Government-owned and privately owned facilities as the Director may deem necessary.

3. This order shall take effect on July 8, 1953.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMING,
Director

[F. R. Doc. 53-6037; Filed, July 7, 1953;
11:20 a. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Amdt.]

CR 3 — RELAXATION OF RESIDENTIAL
CREDIT CONTROLS: REGULATION GOV-
ERNING PROCESSING AND APPROVAL OF
EXCEPTIONS AND TERMS FOR CRITICAL
DEFENSE HOUSING AREAS

MISCELLANEOUS AMENDMENTS

Housing and Home Finance Agency
Regulation CR 3 (originally issued at 16

an application has been received by or on behalf of such wife or child, and the enlisted member will be requested to initiate a class Q allotment to provide for the support of his wife or child. The enlisted member also will be advised that the Secretary of the Army has the authority to make such class Q allotment(s) for the support of his dependent(s) if he does not do so. The commanding officer will notify the Commanding General, Finance Center, U. S. Army, Indianapolis 49, Indiana, of the circumstances giving information such as a statement that the enlisted member refuses to initiate the required class Q allotment, a statement of the reason given by the enlisted member for not authorizing the class Q allotment, or any pertinent information regarding the situation, such as the service member's inaccessibility. Upon determination by the Commanding General, Finance Center, U. S. Army, that such dependency does in fact exist, he will authorize payment of a class Q allotment to or on behalf of the wife or child in the amount of the basic allowance for quarters to which the enlisted member is entitled from the date on which the claim was received by the Finance Center, U. S. Army, or from the date in the month upon which the dependency status began, whichever is later. The Commanding General, Finance Center, U. S. Army will initiate a class Q allotment(s) in the full amount to include the enlisted member's mandatory contribution, effective the first day of a current month. The disbursing officer will be notified of the credit for basic allowance for quarters and the proper allotment deductions by the Commanding General, Finance Center, U. S. Army. A copy of the notification will be furnished the commanding officer of the enlisted member for the information of the enlisted member. The existence of a lawful wife or a legitimate child is sufficient evidence for entitlement to a class Q allotment if such allotment is claimed by or on behalf of such wife or child, irrespective of the enlisted member's protest, unless such protest is supported by evidence of a court order or written agreement providing otherwise. Letter of protest, signed by the enlisted member, together with supporting evidence, will be submitted to the Dependency Division, Finance Center, U. S. Army, Indianapolis 49, Indiana. The Commanding General, Finance Center, U. S. Army, then will take such action as may be necessary to modify or stop the class Q allotment.

[SR 35-1465-15, May 28, 1953] (Sec. 302,
63 Stat. 812, as amended; 37 U. S. C. 252)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-5998; Filed, July 7, 1953;
8:50 a. m.]

F. R. 3835, May 2, 1951, and last amended at 17 F. R. 9034, October 10, 1952) issued pursuant to sections 601 through 605 and section 704 of Pub. Law 775, 81st Cong. (64 Stat. 813, 814, 815, 816), as amended, sections 501, 502, and 902 of Executive Order 10161, September 9, 1950 (15 F. R. 6106), sections 101, 102 and 611 of Pub. Law 139, 82d Cong. (65 Stat. 392), paragraph 3 of Executive Order 10296, October 2, 1951 (16 F. R. 10103), and the approval and authorization of the Board of Governors of the Federal Reserve System of HHFA Regulation CR 1 (16 F. R. 3834, May 2, 1951), is hereby amended as follows:

1. Subparagraph (2) of section 11 (a) is amended to read as follows:

(2) Require, upon the renting of any such dwelling unit to an eligible defense worker, that such worker fill out and submit to the applicant an eligibility statement on HHFA-FHA Form No. 3352, and to retain such form in his files for examination by representatives of the FHA upon request for the applicable period that the applicant is subject to the provisions of this section;

2. Subparagraph (3) of section 11 (a) is herewith deleted.

3. Paragraph (g) of section 11 is amended to read as follows:

(g) Notwithstanding certain requirements in section 11 of this regulation, below referred to, as in effect on an earlier date, persons affected by such requirements or by like requirements in any form, certificate or agreement entered into under this regulation, need only comply with such requirements as set forth below:

(1) Any person affected by an earlier requirement imposing certain obligations for a five year period need comply with such obligations only during the two or four year period, as the case may be, presently prescribed in paragraph (a) of this section for the type of structures involved;

(2) Any person affected by an earlier requirement imposing an obligation for the execution in duplicate of HHFA Form H-1054 and the filing of a copy of such form with the local office of the FHA, need comply only with the presently prescribed provisions of subparagraph (2) of paragraph (a) of this section;

(3) Any person affected by an earlier requirement imposing an obligation for the execution in duplicate of HHFA Form H-1056 and the filing of a copy of such form with the FHA upon the rental of a unit to a person other than an eligible defense worker, need not comply with such requirement after July 8, 1953.

4. Subparagraph (2) of section 16 (a) is amended to read as follows:

(2) Require, upon the sale of any such dwelling to an eligible defense worker, that such worker fill out and submit to the applicant an eligibility statement on HHFA-FHA Form No. 3352 and to retain such form in his files for examination by representatives of the FHA upon

request for a period of six months after the date of the sale;

5. Subparagraph (3) of section 16 (a) is herewith deleted.

6. Paragraph (e) of section 16 is amended to read as follows:

(e) Notwithstanding certain requirements of this section, below referred to, as in effect on any earlier date, persons affected by such requirements or by like requirements in any form, certificate or agreement entered into under this regulation, need only comply with such requirements as set forth below:

(1) Any person affected by an earlier requirement imposing certain obligations for a five year period need comply with such obligations only during the time or times prescribed in this section for the circumstances involved;

(2) Any person affected by an earlier requirement imposing an obligation for the execution in duplicate of HHFA Form H-1054 and filing of a copy of such form with the local office of the FHA, need comply only with the presently prescribed provisions of subparagraph (2) of paragraph (a) of this section;

(3) Any person affected by an earlier requirement imposing an obligation for the execution in duplicate of HHFA Form H-1057 and the filing of a copy of such form with the FHA upon the sale of a unit to a person other than an eligible defense worker, need not comply with such requirement after July 8, 1953.

7. The last sentence of the first paragraph of section 20 is amended to read as follows: "Any person displaced from his home, whether owned or rented by him, as a result of the acquisition on and after June 27, 1950 (by purchase or condemnation) of real property in a critical defense housing area for the use of a defense plant or installation shall for all purposes of this regulation be treated as though he were an eligible defense worker."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

ALBERT M. COLE,
Housing and Home Finance
Administrator.

[F. R. Doc. 53-5999; Filed, July 7, 1953;
8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—SERVICEMEN'S READJUSTMENT ACT OF 1944

SUBPART A—TITLE III; LOAN GUARANTY MISCELLANEOUS AMENDMENTS

1. In § 36.4501, paragraph (a) is amended to read as follows:

§ 36.4501 *Definitions.* * * *

(a) "Act" means Public Law 346, 78th Congress (58 Stat. 284) cited as the "Servicemen's Readjustment Act of 1944," as amended by Public Law 268, 79th Congress (59 Stat. 626) Public Law 864, 80th Congress, 2d session (62 Stat.

1206) Public Law 475, 81st Congress, 2d session (64 Stat. 43), Public Law 139, 82d Congress, 1st session (65 Stat. 293), Public Law 142, 82d Congress, 1st session (65 Stat. 320) Public Law 325, 82d Congress, 2d session (66 Stat. 64), Public Law 550, 82d Congress, 2d session (66 Stat. 663) and Public Law 101, 83d Congress, 1st session (38 U. S. C. 694, et seq.)

2. In § 36.4503, paragraph (a) is amended to read as follows:

§ 36.4503 *Amount and amortization.*

(a) The original principal amount of any loan shall not be in excess of \$10,000. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by Veterans' Administration shall bear interest at the rate of 4½ percent per annum, except where a commitment to make the loan was issued prior to June 30, 1953, in which case the rate of interest shall be 4 percent per annum.

3. In § 36.4514, paragraph (e) is amended to read as follows:

§ 36.4514 *Eligibility requirements.*

(e) Private capital is not available in the area for a loan for which the veteran is qualified under section 501 or 502 of Title III of the Act.

(Sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 694d)

This regulation is effective July 8, 1953.

[SEAL] H. V. STIRLING,
Acting Administrator

[F. R. Doc. 53-6057; Filed, July 7, 1953;
9:02 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 34—CLASSIFICATION AND RATES OF POSTAGE

REVISION OF RATES OF POSTAGE ON CERTAIN FOURTH-CLASS MAIL

Pursuant to the provision of the act of September 27, 1950 (Pub. Law 843, 81st Cong., 2d sess.) this Department having requested the Interstate Commerce Commission as provided by section 207

of the act of February 28, 1925, as amended (39 U. S. C. 247) to consent to the establishment of such rate increases and other reformatations as may be necessary to insure the receipt of revenue from fourth-class mail service sufficient to pay the cost of such service, and consent having been given by the Interstate Commerce Commission in its decision dated June 10, 1953, docket No. 30174, to increase postal rates on parcels of fourth-class mail subject to the regular zone rates and to the elimination of surcharges on parcels carried outside of mail sacks, it is hereby ordered, that effective October 1, 1953, § 34.76 of Title 39, Code of Federal Regulations be amended to read as follows:

§ 34.76 *Fourth-class postage rates by zones—(a) Local to eighth zone, inclusive.* The rate of postage on matter of the fourth class shall be as follows in the respective parcel-post zones:

Zones	First pound (cents)	Each additional pound (cents)
Local	18	1.45
1 and 2	23	2.05
3	23	5.15
4	24	6.9
5	26	9.25
6	28	11.65
7	30	15.2
8	32	18.05

(b) *Local.* The rates prescribed for local delivery are applicable on all matter mailed at the post office from which a rural route starts, for delivery on such route, or mailed at any point on such route for delivery at any other point thereon, or at the office from which the route starts, or on any rural route starting therefrom, and on all matter mailed at a city-carrier office, or at any point within its delivery limits, for delivery by carriers from that office, or at any office for local delivery.

(c) *Parcels over 84 inches.* On parcels measuring more than 84 inches, but not more than 100 inches in length and girth combined, the minimum postage charge shall be the zone charge applicable to a 10-pound parcel. (Sec. 204 (b) 62 Stat. 1260; 39 U. S. C. 292a)

(d) *Table of rates.* Postage shall be charged on matter of the fourth-class mailed for delivery within the several zones indicated in paragraphs (a) and (b) of this section, as follows:

Pounds	Local	1 and 2 zones	3 zones	4 zones	5 zones	6 zones	7 zones	8 zones
1	\$0.18	\$0.23	\$0.23	\$0.24	\$0.25	\$0.28	\$0.30	\$0.32
2	.27	.27	.29	.31	.32	.43	.45	.51
3	.31	.31	.34	.33	.45	.62	.61	.69
4	.35	.35	.45	.45	.64	.84	.76	.87
5	.39	.39	.44	.52	.83	.96	.91	1.05
6	.43	.43	.49	.59	.93	.93	1.06	1.23
7	.47	.47	.55	.65	.92	1.09	1.22	1.41
8	.51	.51	.59	.73	.91	1.12	1.37	1.59
9	.55	.55	.69	.89	1.09	1.24	1.52	1.77
10	.59	.59	.79	.97	1.19	1.25	1.67	1.95
11	.63	.63	.83	1.03	1.19	1.45	1.82	2.13
12	.67	.67	.89	1.09	1.23	1.69	1.93	2.31
13	.71	.71	.95	1.07	1.37	1.72	2.13	2.49
14	.75	.75	.99	1.14	1.47	1.84	2.28	2.67
15	.79	.79	1.05	1.21	1.59	1.96	2.43	2.85
16	.83	.83	1.09	1.23	1.63	2.06	2.53	3.03
17	.87	.87	1.13	1.27	1.67	2.16	2.64	3.21
18	.91	.91	1.17	1.31	1.71	2.26	2.74	3.39
19	.95	.95	1.21	1.35	1.75	2.36	2.84	3.57
20	.99	.99	1.25	1.39	1.79	2.46	2.94	3.75

RULES AND REGULATIONS

Pounds	Local	1 and 2 zones	3 zone	4 zone	5 zone	6 zone	7 zone	8 zone
21	\$0.47	\$1.02	\$1.26	\$1.62	\$2.11	\$2.67	\$3.34	\$3.93
22	.49	1.06	1.32	1.69	2.21	2.79	3.50	4.12
23	.50	1.10	1.37	1.76	2.30	2.91	3.65	4.30
24	.52	1.14	1.42	1.83	2.39	3.03	3.80	4.48
25	.53	1.18	1.47	1.90	2.48	3.15	3.95	4.66
26	.55	1.22	1.52	1.97	2.58	3.27	4.10	4.84
27	.56	1.26	1.57	2.04	2.67	3.39	4.25	5.02
28	.58	1.30	1.63	2.11	2.76	3.51	4.41	5.20
29	.59	1.34	1.68	2.18	2.85	3.63	4.56	5.38
30	.61	1.38	1.73	2.25	2.95	3.75	4.71	5.56
31	.62	1.42	1.78	2.31	3.04	3.87	4.86	5.74
32	.63	1.46	1.83	2.38	3.13	3.99	5.02	5.92
33	.65	1.50	1.88	2.45	3.22	4.11	5.17	6.10
34	.66	1.54	1.93	2.52	3.32	4.23	5.32	6.28
35	.68	1.58	1.99	2.59	3.41	4.35	5.47	6.46
36	.69	1.62	2.04	2.66	3.50	4.47	5.62	6.64
37	.71	1.66	2.09	2.73	3.59	4.59	5.78	6.82
38	.72	1.70	2.14	2.80	3.69	4.71	5.93	7.00
39	.74	1.74	2.19	2.87	3.78	4.83	6.08	7.18
40	.75	1.78	2.24	2.94	3.87	4.95	6.23	7.36
41	.76	1.81	2.29	3.00	3.96	5.06	6.33	7.54
42	.78	1.85	2.35	3.07	4.06	5.18	6.54	7.73
43	.79	1.89	2.40	3.14	4.15	5.30	6.69	7.91
44	.81	1.93	2.45	3.21	4.24	5.42	6.84	8.09
45	.82	1.97	2.50	3.28	4.33	5.54	6.99	8.27
46	.84	2.01	2.55	3.35	4.43	5.66	7.14	8.45
47	.85	2.05	2.60	3.42	4.52	5.78	7.30	8.63
48	.87	2.09	2.66	3.49	4.61	5.90	7.45	8.81
49	.88	2.12	2.71	3.56	4.70	6.02	7.60	8.99
50	.90	2.17	2.76	3.63	4.80	6.14	7.75	9.17
51	.91	2.21	2.81	3.69	4.89	6.26	7.90	9.35
52	.92	2.25	2.86	3.76	4.98	6.38	8.06	9.53
53	.94	2.29	2.91	3.83	5.07	6.50	8.21	9.71
54	.95	2.33	2.96	3.90	5.17	6.62	8.39	9.89
55	.97	2.37	3.02	3.97	5.26	6.74	8.51	10.07
56	.98	2.41	3.07	4.04	5.35	6.86	8.66	10.25
57	1.00	2.45	3.12	4.11	5.44	6.98	8.82	10.43
58	1.01	2.49	3.17	4.18	5.54	7.10	8.97	10.61
59	1.03	2.53	3.22	4.25	5.63	7.22	9.12	10.79
60	1.04	2.57	3.27	4.32	5.72	7.34	9.27	10.97
61	1.05	2.60	3.32	4.38	5.81	7.45	9.42	11.15
62	1.07	2.64	3.38	4.45	5.91	7.57	9.58	11.34
63	1.08	2.68	3.43	4.52	6.00	7.69	9.73	11.52
64	1.10	2.72	3.48	4.59	6.09	7.81	9.88	11.70
65	1.11	2.76	3.53	4.66	6.18	7.93	10.03	11.88
66	1.13	2.80	3.58	4.73	6.28	8.05	10.18	12.06
67	1.14	2.84	3.63	4.80	6.37	8.17	10.34	12.24
68	1.16	2.88	3.69	4.87	6.46	8.29	10.49	12.42
69	1.17	2.92	3.74	4.94	6.55	8.41	10.64	12.60
70	1.19	2.96	3.79	5.01	6.65	8.53	10.79	12.78

(e) *Exception.* In the first or second zone, where the distance by the shortest regular practicable mail route is 300 miles or more, the rate shall be the same as for the third zone.

(R. S. 161, 396; sec. 1, 25 Stat. 654, secs. 304, 309, 42 Stat. 24, 25, sec. 207, 43 Stat. 1067, as amended; 5 U. S. C. 22, 369, 39 U. S. C. 247)

Note: There is still pending before the Interstate Commerce Commission proposal of this Department to increase rates on catalogs and similar printed advertising matter and controlled circulation publications weighing over 8 ounces; and since no increase in rates was requested with respect to books, library books, and publications or records furnished to a blind person under the provisions of the act of April 15, 1937 (39 U. S. C. 293c), the present rates on such fourth-class matter will be applicable.

[SEAL] ROSS RIZLEY,
Solicitor

[F. R. Doc. 53-5889; Filed, July 7, 1953;
8:46 a. m.]

PART 34—CLASSIFICATION AND RATES OF POSTAGE

PARCELS ADDRESSED TO CERTAIN A. P. O.'S

In § 34.95 *Parcels addressed to certain A. P. O.'s* make the following changes:

1. Amend subparagraphs (1) (2) (4) and (5) of paragraph (a) to read as follows:

(1) *Customs forms required.* Parcels addressed to the following military post offices shall not be accepted for mailing unless accompanied with a cus-

toms declaration on Form 2966 or 2976-A.

Care Postmaster, New York, N. Y.—
A. P. O.'s: 10, 11, 16, 17, 21, 22, 30, 44, 55, 58, 83, 113, 117, 118, 119, 120, 122, 124, 125, 126, 127, 129, 147, 163, 167, 179, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 202, 202-A, 205, 211, 213, 215, 216, 217, 219, 232, 233, 236, 237, 238, 240, 241, 242, 243, 349, 616, 755.

Care Postmaster, New Orleans, La.—
A. P. O.'s: 825, 827, 828, 829, 831, 832, 834, 835, 836, 837.

Fleet Post Office, New York, N. Y.—Navy
Nos. 121, 122, 188, 214, 720.

(2) *Customs forms required on first, third and fourth-class packages.* Parcels of third- or fourth-class-mail shall be accompanied with Form 2966 showing quantity, description, and value of the articles therein. Sealed first-class packages, (including air-mail packages) for these addresses which contain merchandise must have attached Form 2976 (C 1) or be endorsed for opening for customs purposes. The paper form of customs declaration (Form 2976-A) properly completed by the sender or an invoice must also be enclosed therein. Customs declaration forms should bear a complete and accurate list of the contents of the parcels in the space provided for this purpose. A brief description such as "kitchen utensils," "notions," "tools," "clothing," etc., is not sufficient. Customs inspection will not be made while the mail is in military postal channels but after its delivery to the addressee or his representative.

(4) *Official matter.* Customs declaration tags are not required on parcels of

official matter from Government agencies addressed to a military organization or officer by title such as "Commanding Officer," "Supply Officer," etc., at the A. P. O.'s and Navy numbers listed above.

(5) *Size and weight limit.* (1) Air parcel post, other than official mail, addressed to A. P. O.'s in care of the postmasters at New York, San Francisco, Seattle, and New Orleans, and to Navy and Marine Corps units, including ships, addressed in care of the fleet post offices at New York and San Francisco, is limited in size and weight as follows:

(a) Size: 30 inches in length and girth combined.

(b) Weight: 2 pounds.

(c) "Official air parcel post" will be considered to embrace mail addressed to official titles such as commanding officer, officer in charge, or supply officer of any military or naval installation base, unit, vessel, and other Government departments or agencies served through military post offices.

(ii) The limitations in subdivision (1) of this subparagraph do not apply to air parcels mailed at overseas military post offices.

2. Amend subparagraphs (1), (3), (4) and (5) of paragraph (b) to read as follows:

(1) Cigarettes and other tobacco products are prohibited transmission by mail to all of the Army-Air Force and Navy post offices listed below which are addressed in care of Postmaster, New York, N. Y.

A. P. O.'s: 1, 1-A, 10, 11, 12, 13, 16, 17, 19, 21, 22, 26, 28, 29, 30, 34, 35, 39, 42, 44, 46, 55, 57, 58, 61, 62, 65, 66, 69, 78, 79, 80, 82, 83, 100, 107, 108, 109, 110, 111, 112, 113, 114, 115, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 139, 147, 154, 162, 163, 164, 165, 167, 168, 169, 170, 171, 171-A, 172, 173, 174, 175, 176, 177, 178, 178-A, 179, 180, 183, 185, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 202, 202-A, 207, 208, 209, 211, 213, 215, 216, 217, 219, 225, 227, 232, 233, 236, 237, 238, 240, 241, 242, 243, 245, 252, 305, 349, 403, 403-A, 407, 541, 633, 696, 696-A, 742, 743, 751, 755, 757, 777, 794, 800, 807, 843, 872.

Navy Post Offices: 214, 510 and 913.

(3) The following articles may not be mailed in parcels addressed to A. P. O.'s 10, 11, 16, 17, 21, 30, 44, 55, 58, 83, 113, 117, 118, 119, 122, 163, 211, 213, 215, 216, 217, 219, 349, and Navy No. 214.

(i) Medicines and vaccines not conforming to French laws.

(ii) Nonauthorized publications, reprints, and publications prohibited on account of their political character or immoral contents.

(iii) Monies, currencies, gold and silver bullion.

(iv) Securities.

(4) Coffee may not be accepted for mailing to the offices in the list below.

A. P. O.'s: 1, 1-A, 12, 13, 28, 28, 29, 34, 35, 39, 42, 46, 57, 61, 62, 65, 66, 69, 78, 79, 80, 82, 106, 107, 108, 109, 110, 111, 112, 114, 123, 128, 130, 131, 132, 139, 154, 162, 164, 165, 169, 170, 171, 171-A, 172, 173, 175, 176, 177, 178, 178-A, 180, 183, 185, 189, 207, 208, 225, 227, 245, 252, 305, 403, 403-A, 407, 633, 696, 696-A, 742, 743, 751, 757, 800, 807, 872.

Navy Post Office: 913.

(5) Parcels addressed to A. P. O.'s 22, 120, 124, 125, 126, 127, 129, 147, 167, 179, 190, 191, 192, 193, 194, 195, 196, 197, 198,

199, 202, 202-A, 232, 233, 236, 237, 238, 240, 241, 242, 243, and 755 shall not exceed 50 pounds in weight and are subject to the following restrictions:

(i) Articles will be liable for customs duty and/or purchase tax unless they are bona fide gifts, personal effects, or items for personal use intended for military personnel or their dependents. Where the contents of a parcel meet the foregoing requirements the mailer should place a certification similar to the following on the customs form under the heading "Description of Contents":

Certified to be a bona fide gift, personal effects, or items for personal use of military personnel and dependents thereof.

(ii) The following articles may not be accepted:

- (a) Securities.
- (b) Precious metals.
- (c) Currency.

(R. S. 161, 396; secs. 304, 309, 42-Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL]

ROSS RIZLEY,
Solicitor.

[F. R. Doc. 53-5981; Filed, July 7, 1953;
8:46 a. m.]

PART 43—TREATMENT OF DOMESTIC MAIL MATTER AT RECEIVING POST OFFICES

FORWARDING OF MAIL

In § 43.12 *Forwarding of mail* amend paragraph (g) to read as follows:

(g) *Notice to sender of matter undeliverable as addressed.* When the sender of ordinary mail of the third- or fourth-class desires to be notified when such matter is undeliverable as addressed and furnished with the new address of the addressee, if available, he may indicate that fact on the matter itself by printing in the lower left corner of the address side the inscription "Form

3547 Requested" together with the name and address of the sender in the upper left corner. Notification to sender shall be by return of the mail itself with legible endorsement thereon showing reason for nondelivery as addressed, postage to be paid for return of the piece at the regular third- or fourth-class rate, whichever is applicable, to be collected on delivery, or by card notice Form 3547 for which a fee of 2 cents is chargeable, to be collected on delivery, in such manner as may be prescribed by the Bureau of Post Office Operations. Matter bearing the inscription "Form 3547 Requested" shall be accepted with the understanding that the sender, in every instance, guarantees payment of the charge for the notice, if one be sent, or return postage due in the event it is necessary to return the mail.

NOTE: This paragraph applies only to third- and fourth-class matter sent out in the regular course of business for purposes other than obtaining the address of the person to whom the matter is sent.

(R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25, sec. 2, 64 Stat. 610, sec. 12, 65 Stat. 676; 5 U. S. C. 22, 369, 39 U. S. C. 246f, 270b)

[SEAL]

ROSS RIZLEY,
Solicitor.

[F. R. Doc. 53-5980; Filed, July 7, 1953;
8:46 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[2d Rev. S. O. 856, Corr. Amdt. 7]

PART 95—CAR SERVICE

SATURDAYS TO BE INCLUDED IN COMPUTING DEMURRAGE ON ALL FREIGHT CARS; APPLI- CATION

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June A. D. 1953.

Upon further consideration of Second Revised Service Order No. 856 (16 F. R. 3929, 10560; 17 F. R. 836, 3458, 4949, 10737; 18 F. R. 2084, 3146, 3567), and good cause appearing therefor: It is ordered, that:

Section 95.856 *Saturdays to be included in computing demurrage on all freight cars* of Second Revised Service Order No. 856 be, and it is hereby amended by substituting the following paragraph (b) for paragraph (b) thereof:

(b) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce, including commerce with insular possessions and the territories of Alaska and Hawaii.

In the event a holiday as described and listed in Item No. 25 of I. C. C. No. 4550 occurs on a Saturday, such day will be excluded in computing demurrage, except as otherwise provided in applicable demurrage tariffs.

Effective date. This amendment shall become effective at 7:00 a. m., July 1, 1953.

It is further ordered, that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL]

GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-5337; Filed, July 7, 1953;
8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

I 19 CFR Parts 8, 14 I

LIABILITY FOR DUTIES; ENTRY OF IM- PORTED MERCHANDISE; APPRAISEMENT

INVOICING AND LABELING OF CERTAIN COAL- TAR PRODUCTS

Paragraph 28 (f) Tariff Act of 1930 (19 U. S. C. 1001, par. 28 (f)) provides that it shall be unlawful to import or bring into the United States any coal-tar color, dye, stain, color acid, color base, color lake, leuco-compound, indoxyl, or indoxyl compound unless the immediate container and the invoice shall bear a plain, conspicuous, and truly descriptive statement of the identity and percentage, exclusive of diluents, of such color, dye, stain, color acid, color base, color lake, leuco-compound, indoxyl, or indoxyl compound contained therein.

Pursuant to this provision of law, the Department of the Treasury has prescribed in §§ 8.13 (1) and 14.6 of the Customs Regulations of 1943 (19 CFR 8.13 (1) 14.6) that the invoice and container of the above-named products must state, among other things, the Schultz number, Colour Index number, or U. S. Standard number of the product, if any. If none, there must be stated the chemical classification of the dye (whether acid, basic, direct, etc., with after treatment, if any), together with a statement of the chemical composition of the intermediates from which the finished dye is made.

In the absence of a Schultz, Colour Index, or U. S. Standard number of a dye consisting of a mixture of two or more dyes, the information required above for each component dye in the mixture (except the method of application) shall be given, together with the method of application of the mixture.

Notice is hereby given, pursuant to section 4 of the Administrative Procedures Act (5 U. S. C. 1003) that, in order to facilitate the identification of imported dyestuffs, it is proposed to require that the following information be furnished with respect to each importation of coal-tar dyestuffs:

(a) Trade name of the article and name of manufacturer.

(b) Percentage of color, dye, color acid, color base, color lake, leuco-compound, indoxyl, or indoxyl compound contained therein, exclusive of diluents.

(c) Schultz number, Colour Index number, the Foreign Prototype number, or U. S. Standard number, if any.

(d) If none of the numbers referred to in (c) can be given, information shall be furnished as follows:

(1) Method of application (whether acid, basic, direct, etc., with after treatment, if any), and chemical classifica-

tion (whether azo, anthraquinone, sulphur, etc.)

(2) If known, the different names under which sold abroad and in the U. S. and the name of the comparable American-made dye with name of the U. S. manufacturer.

(3) Scientific name and structural formula; if no scientific name, the scientific name and structural formula of each intermediate used in making the imported product.

(e) If the imported product consists of a mixture of two or more colors, dyes, etc., the information indicated above shall be given for each color, dye, etc. in the mixture, together with the proportions of each component color, dye, etc. in the mixture.

Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate to the Commissioner of Customs, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearings will be held.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: June 30, 1953.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F. R. Doc. 53-6016; Filed, July 7, 1953;
8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 993]

HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO SUPERSEDING MINIMUM STANDARDS FOR GRADES OF NATURAL CON- DITION PRUNES AND PROCESSED PRUNES

Notice is hereby given that the Secretary of Agriculture is considering a proposed rule to approve superseding minimum standards as to grades of natural condition prunes and processed prunes produced and handled in the State of California. Such superseding minimum standards are proposed after consideration of a recommendation submitted by the Prune Administrative Committee and other information available to the Secretary, in accordance with the applicable provisions of Marketing Agreement No. 110, as amended, and Order No. 93, as amended (7 CFR Part 993) regulating the handling of dried prunes produced in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.)

Consideration will be given to any written data, views, or arguments pertaining thereto which are filed in triplicate with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and received not later than

the close of business on the eighth day after the date of the publication of this notice in the FEDERAL REGISTER, except that, if said eighth day after publication should fall on a legal holiday, Saturday, or Sunday, such submission should be received by the Director not later than the close of business on the next following business day.

The proposed rule is as follows:

§ 993.97 Exhibit A, minimum standards.

I. Minimum standards for natural condition prunes:

A. *Defects.* Defects are: (1) Off-color; (2) inferior meat condition; (3) end cracks; (4) fermentation; (5) skin or flesh damage; (6) scab; (7) burned; (8) mold; (9) imbedded dirt; (10) insect infestation; (11) decay.

B. *Explanation of terms.* (1) "Off-color" means a dull color or skin differing noticeably in appearance from that which is characteristic of mature, properly handled fruit of a given variety or type.

(2) "Inferior meat condition" means flesh which is fibrous, woody or otherwise inferior due to immaturity to the extent that the characteristic texture of the meat is substantially affected.

(3) "End cracks" means callous growth cracks, at the blossom end of prunes, aggregating more than three-eighths of one inch ($\frac{3}{8}$ "') but not more than one-half of one inch ($\frac{1}{2}$ "') in length.

(4) "Fermentation" means damage to the flesh by fermentation to the extent that the characteristic appearance or flavor is substantially affected.

(5) "Skin or flesh damage" means growth cracks, splits, breaks in skin or flesh of the following descriptions:

(a) Callous growth cracks, except end cracks as defined in this section, aggregating more than three-eighths of one inch ($\frac{3}{8}$ "') in length;

(b) Splits or skin breaks exposing flesh and affecting materially the normal appearance of the prunes;

(c) Any cracks, splits or breaks open to the pit;

(d) Healed or unhealed surface or flesh blemishes caused by insect injury and which materially affect appearance, edibility or keeping quality;

(e) Skin damage caused by rain or over-dipping to the extent that the prunes cannot be processed normally without material sloughing of the skin.

(6) "Scab" means tough or thick scab exceeding in the aggregate the area of a circle three-eighths of one inch ($\frac{3}{8}$ "') in diameter or by unsightly scab of another character exceeding in the aggregate the area of a circle three-fourths of one inch ($\frac{3}{4}$ "') in diameter.

(7) "Burned" means injury by sunburn or excessive heat in dehydration to the extent that the characteristic appearance, flavor or edibility of the fruit is noticeably affected.

(8) "Mold" means a characteristic fungus growth and is self-explanatory.

(9) "Imbedded dirt" means the presence of dirt or other extraneous material so imbedded in, or adhering to, the prune that it cannot be removed in normal processing.

(10) "Insect infestation" means the presence of insects, insect fragments or insect remains.

C. *Maximum tolerances.* Tolerance allowances shall be on a weight basis and shall not exceed the following:

(1) The tolerance allowance for decay shall not exceed one percent (1%).

(2) The combined tolerance allowance for mold, imbedded dirt, insect infestation, and decay shall not exceed five percent (5%).

(3) The combined tolerance allowance for fermentation, skin or flesh damage, scab,

burned, mold, imbedded dirt, insect infestation, and decay shall not exceed eight percent (8%).

(4) The combined tolerance allowance for end cracks, fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed ten percent (10%), except that the first eight percent (8%) of end cracks shall be given one-half value and any additional percentage of end cracks shall be given full value.

(5) The combined tolerance allowance for off-color, inferior meat condition, end cracks, fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed twenty percent (20%), except that the first eight percent (8%) of end cracks shall be given one-half value and any additional percentage of end cracks shall be given full value.

(6) Prunes showing obvious live insect infestation shall be fumigated prior to acceptance.

D. Natural condition prunes must be properly dried and cured in original natural condition, without the addition of water, and free from active infestation, so that they are capable of being received, stored and packed without deterioration or spoilage.

II. Minimum standards for processed prunes:

A. *Defects.* Defects are: (1) Off-color; (2) inferior meat condition; (3) end cracks; (4) fermentation; (5) skin or flesh damage; (6) scab; (7) burned; (8) mold; (9) imbedded dirt; (10) insect infestation; (11) decay.

B. *Explanation of terms.* (1) "Off-color" means a dull color or skin differing noticeably in appearance from that which is characteristic of mature, properly handled fruit of a given variety or type.

(2) "Inferior meat condition" means flesh which is fibrous, woody or otherwise inferior due to immaturity to the extent that the characteristic texture of the meat is substantially affected.

(3) "End cracks" means callous growth cracks, at the blossom end of prunes, aggregating more than three-eighths of one inch ($\frac{3}{8}$ "') but not more than one-half of one inch ($\frac{1}{2}$ "') in length.

(4) "Fermentation" means damage to the flesh by fermentation to the extent that the characteristic appearance or flavor is substantially affected.

(5) "Skin or flesh damage" means growth cracks, splits, breaks in skin or flesh of the following descriptions:

(a) Callous growth cracks, except end cracks as defined in this section, aggregating more than three-eighths of one inch ($\frac{3}{8}$ "') in length;

(b) Splits or skin breaks exposing flesh and materially affecting the normal appearance of French prunes; or markedly affecting the normal appearance of varieties other than the French variety;

(c) Any cracks, splits or breaks open to the pit;

(d) Healed or unhealed surface or flesh blemishes caused by insect injury and which materially affect appearance, edibility or keeping quality.

(6) "Scab" means tough or thick scab exceeding in the aggregate the area of a circle three-eighths of one inch ($\frac{3}{8}$ "') in diameter or by unsightly scab of another character exceeding in the aggregate the area of a circle three-fourths of one inch ($\frac{3}{4}$ "') in diameter.

(7) "Burned" means injury by sunburn or excessive heat in dehydration to the extent that the characteristic appearance, flavor or edibility of the fruit is noticeably affected.

(8) "Mold" means a characteristic fungus growth and is self-explanatory.

(9) "Imbedded dirt" means the presence of dirt or other extraneous material so imbedded in, or adhering to, the prune that it cannot be readily removed in washing the fruit.

(10) "Insect infestation" means the presence of insects, insect fragments or insect remains.

C. *Maximum tolerances.* Tolerance allowances shall be on a weight basis and shall not exceed the following:

(1) There shall be no tolerance allowance for live insect infestation.

(2) The tolerance allowance for decay shall not exceed one percent (1%).

(3) The combined tolerance allowance for mold, imbedded dirt, insect infestation, and decay shall not exceed five percent (5%).

(4) The combined tolerance allowance for fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed eight percent (8%).

(5) The combined tolerance allowance for end cracks, fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed ten percent (10%), except that the first eight percent (8%) of end cracks shall be given one-half value and any additional percentage of end cracks shall be given full value.

(6) The combined tolerance allowance for off-color, inferior meat condition, end cracks, fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed twenty percent (20%), except that the first eight percent (8%) of end cracks shall be given one-half value and any additional percentage of end cracks shall be given full value.

In the absence of the estimate by the Department's Crop Reporting Board of the 1953 California dried prune production as of July 1, 1953 and lacking an estimation by the Prune Administrative Committee of the season average price for prunes for the 1953-54 crop year, it is not practicable at this time to determine whether the season average price for prunes for such crop year will be below or above parity. However, in either event, it is intended that the proposed superseding minimum standards will be made effective and apply to prunes disposed of by handlers, as well as to prunes received by handlers, on and after August 1, 1953.

These proposed superseding minimum standards were set forth in the notice of an amendment hearing in connection with this program which was published in the FEDERAL REGISTER issue of March 28, 1953 (18 F. R. 1760) and testimony with respect to them was given at said amendment hearing on April 16, 1953. It was then contemplated that any necessary or desirable changes in those regards would be made by formal order amendment action. However, it is obvious that any such changes should be put into effect in time for them to apply to the entire new crop of prunes, and it now also appears to be obvious that it will not be practicable to take any formal amendment action in this connection in time to apply to the entire new crop of prunes. In these circumstances, the only practicable solution of the problem appears to be to take action in the matter pursuant to the rule making procedures which are prescribed in section 4 of the Administrative Procedure Act, and this is proposed to be done. But, if any person should object to this proposed way of handling, he is at liberty to submit his objection in the

written data, views, or arguments referred to above, and consideration will be given to any such objections which are submitted.

Issued at Washington, D. C., this 3d day of July 1953.

[SEAL] FLOYD F. HEDLUND,
Acting Director,
Fruit and Vegetable Branch.

[F. R. Doc. 53-6018; Filed, July 7, 1953;
8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 10, 11, 16]

[Docket No. 10554]

PUBLIC SAFETY, INDUSTRIAL AND LAND TRANSPORTATION RADIO SERVICES

ASSIGNMENT OF FREQUENCIES

In the matter of amendment of Parts 10, 11, and 16, rules governing Public Safety, Industrial and Land Transportation Radio Services, respectively, with respect to the assignment of frequencies in the band 450-460 Mc., Docket No. 10554.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. On May 14, 1953, the Commission adopted a report and order in Docket 10323 which amended § 2.104 (a) of Part 2 of its rules by reallocating frequencies in the band 450-460 Mc. It is now proposed to make the necessary changes in Parts 10, 11, and 16 of the rules to effectuate the basic purpose of the Commission's action in that docket which was to increase the flexibility with which assignments may be made in that band.

3. The new proposal limits Base station operations to the lower portion of the band. The matter of the desirability of confining such operations to one part of the band was raised by persons making comments in the earlier proceeding but it was left unresolved to await amendment of the rules governing specific services.

Specific comment on this aspect of the proceeding is requested. While this arrangement may not be of equal benefit to all users of the band, it appears that the benefits which will accrue to the majority of licensees make it desirable that it be done. In this connection, it should be noted that in order to carry out this pattern of assignment it will be necessary to delete the separate allocations to the automobile clubs and public garages in the Automobile Emergency Service and make each of the frequencies suballocated to that service available to both types of users.

5. The proposed rules which are set forth below are issued under authority of section 4 (l) and 303 of the Communications Act of 1934, as amended.

6. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before

August 7, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

7. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: June 24, 1953.

Released: June 29, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

A. Proposed amendments to Part 10, rules governing Public Safety Radio Services: In §§ 10.255 (g) 10.305 (f), 10.355 (d) 10.405 (e), and 10.462 (e) modify each of the frequency tables by deleting the entry "454.05 to 455.95" Mc and substituting in lieu thereof the following:

Frequency or band (Mc.)	Class of station(s)	Limitations
453.05	Base and mobile	1
453.15	do	1
453.25	do	1
453.35	do	1
453.45	do	1
453.55	do	1
453.65	do	1
453.75	do	1
453.85	do	1
453.95	do	1
454.05	Mobile only	1
454.15	do	1
454.25	do	1
454.35	do	1
454.45	do	1
454.55	do	1
454.65	do	1
454.75	do	1
454.85	do	1
454.95	do	1

B. Proposed amendments to Part 11, rules governing Industrial Radio Services: It is proposed to amend the introductory text of paragraph (b) and paragraph (c) of §§ 11.254, 11.304, 11.354, 11.404, 11.454 and 11.504 to read as follows:

(b) The frequencies listed in paragraph (c) of this section are primarily for assignment to base stations and mobile stations operating in the mobile service, and secondarily for assignment to certain operational fixed stations operating in the fixed service. In any radio system employing separate frequencies for base stations and mobile stations, or for a pair of operational fixed stations, the frequencies assigned normally will be separated by exactly 5.0 Mc. The frequencies are available for assignment to operational fixed stations subject to the following restrictions and limitations on assignment and use:

PROPOSED RULE MAKING

(c) Frequencies available for assignment as provided in paragraphs (a) and (b) of this section are as follows:

Base and Mobile (Mc)	Mobile only (Mc)
451.05	456.05
451.15	456.15
451.25	456.25
451.35	456.35
451.45	456.45
451.55	456.55
451.65	456.65
451.75	456.75
451.85	456.85
451.95	456.95

C. Proposed amendments to Part 16, rules governing Land Transportation Radio Services:

1. Railroad Radio Service: It is proposed to amend paragraph (c) of § 16.352 to read as follows:

(c) For the purpose of developmental operations, the following frequencies are available for assignment to base stations and mobile stations in the Railroad Radio Service, on a shared basis with stations in the Urban Transit Radio Service:

Base and mobile (Mc)	Mobile only (Mc)
452.65	457.65
452.75	457.75
452.85	457.85
452.95	457.95

2. Taxicab Radio Service: It is proposed to amend § 16.402 by adding new paragraphs (a) (b) and (c) to read as follows and by redesignating present paragraph (c) as (d)

§ 16.402 *Frequencies available for base stations and mobile stations.* (a) Not more than one base station frequency and one mobile station frequency will be assigned to a licensee, unless it clearly appears from a supplemental showing attached to the license application that the grant of an additional frequency or frequencies would be in the public interest by reason of a co-operative arrangement of local taxicab interests or other special circumstances.

(b) The following frequencies are available for assignment to base stations and mobile stations in the Taxicab Radio Service only:

Base and mobile (Mc)	Mobile only (Mc)
152.27	157.53
152.33	157.59
152.39	157.65
152.45	157.71

(c) The following frequencies are available for assignment to base stations and mobile stations for developmental operations in the Taxicab Radio Service only:

Base and mobile (Mc)	Mobile only (Mc)
452.05	457.05
452.15	457.15
452.25	457.25
452.35	457.35
452.45	457.45

3. Urban Transit Radio Service: It is proposed to amend paragraph (c) of § 16.452 to read as follows:

(c) The following frequencies are available for assignment to base stations and mobile stations for developmental operations on a shared basis with stations in the Railroad Radio Service:

Base and mobile (Mc)	Mobile only (Mc)
452.65	457.65
452.75	457.75
452.85	457.85
452.95	457.95

4. Automobile Emergency Radio Service: It is proposed to amend paragraph (b) of § 16.503 to read as follows:

(b) The following frequencies are available for assignment to base stations and mobile stations for developmental operation in the Automobile Emergency Radio Service only:

452.55 Mc (Base and mobile).
457.55 Mc (Mobile only).

[F. R. Doc. 53-6007; Filed, July 7, 1953; 8:51 a. m.]

County State of New York, has been donated to the United States as an addition to, and for use in administering, developing, protecting, and interpreting, the said National Historic Site:

Now, therefore, by virtue of, and pursuant to the authority contained in the act of August 21, 1935 (49 Stat. 668, 16 U. S. C., 1946 ed., secs. 461, et seq.), the following described land is hereby added to and made a part of the Home of Franklin D. Roosevelt National Historic Site:

All that parcel of land situate, lying and being in the Town of Hyde Park, Dutchess County, State of New York, as conveyed to the United States by the Trustees under the Last Will and Testament of Franklin D. Roosevelt by deed of October 23, 1952, recorded in Deed Book 821, page 103, of the records of said County, generally bounded and described as follows:

On the north by the south line of the property formerly owned by Anne C. Rogers, now or formerly owned by the estate of Franklin D. Roosevelt; on the west by the Hudson River; on the south by the north line of the Boreel place which was conveyed to James Roosevelt by Robert Boreel and wife by deed dated February 14, 1868, and recorded in Liber 144 of Deeds at Page 117, in the Dutchess County Clerk's Office; on the east by the west line of the property conveyed by Franklin D. Roosevelt and Anna Eleanor Roosevelt, his wife, to the United States of America by deed dated December 29, 1943, and recorded on the 31st day of December 1943, in the Dutchess County Clerk's Office in Liber 613 of Deeds at Page 209; containing approximately 60.46 acres, more or less, excepting and reserving therefrom so much thereof as is owned by the New York Central and Hudson River Railroad Company.

The administration, protection, and development of the land hereinabove described as a part of the said National Historic Site shall be exercised in accordance with the provisions of the act of August 21, 1935, supra, subject to the reservations and conditions contained in the deed conveying the said land to the United States.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this addition to said Site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, in the City of Washington this 1st day of July 1953.

[SEAL]

DOUGLAS MCKAY,
Secretary of the Interior

[F. R. Doc. 53-5979; Filed, July 7, 1953; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Department Order No. 150-13, Revised]

BUREAU OF INTERNAL REVENUE
REORGANIZATION

DISTRICT DIRECTOR OF INTERNAL REVENUE,
SEATTLE

By virtue of the authority vested in me as Secretary of the Treasury, it is hereby ordered:

1. The last sentence of Treasury Department Order No. 150-13, dated October 26, 1952, as amended December 4, 1952, is further amended to read as follows: "The headquarters of such office shall be located in Seattle, Washington, and the office shall have the title of District Director of Internal Revenue, Seattle."

2. This order shall be effective July 6, 1953.

Dated: July 3, 1953.

[SEAL] M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 53-6017; Filed, July 7, 1953; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

HOME OF FRANKLIN D. ROOSEVELT NATIONAL HISTORIC SITE, HYDE PARK, DUTCHESS COUNTY, NEW YORK

ORDER ADDING CERTAIN LANDS

Whereas, subject to certain reservations and conditions, the following parcel of land adjoining the Home of Franklin D. Roosevelt National Historic Site in the Town of Hyde Park, Dutchess

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 10555, 10556, 10557, 10558]

CORPUS CHRISTI TELEVISION CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of R. L. Wheelock, W. L. Pickens, and H. H. Coffield, d/b as Corpus Christi Television Company, Corpus Christi, Texas, Docket No. 10555, File No. BPCT-416; Superior Television, Inc., Corpus Christi, Texas, Docket No.

10556, File No. BPCT-1031; Keys-TV, Inc., Corpus Christi, Texas, Docket No. 10557, File No. BPCT-1045; K-SIX Television, Inc., Corpus Christi, Texas, Docket No. 10558, File No. BPCT-1434; for construction permits for new television broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of June 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 10 in Corpus Christi Texas; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated August 28, 1952, and May 26, 1953, that their applications were mutually exclusive and that a hearing would be necessary that Corpus Christi Television Company was advised by the letter of May 26, 1953, that certain questions were raised as a result of its proposed antenna location; that Superior Television, Inc., was advised by the letter of May 26, 1953, that certain questions as to its financial proposals and proposed main studio location had been raised and that a question was raised as to whether the combination of television grants and applications of J. D. Wrathner, Jr. and Maria Helen Alvarez comply with the Commission's rules and policies with respect to multiple ownership; that KEYS-TV, Inc., was advised by the letter of May 26, 1953, that certain questions as to its financial proposals had been raised and that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and that K-SIX Television, Inc., was advised by the letter of May 26, 1953, that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters filed by three of the above-named applicants (no reply having been received from Corpus Christi Television Company) the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory that Corpus Christi Television Company, Superior Television, Inc., and KEYS-TV, Inc., are legally, financially and technically qualified to construct, own and operate television broadcast stations; and that K-SIX Television, Inc., is legally and financially qualified to construct, own and operate a television broadcast station, and is technically so qualified except as to the matter referred to in Issue "1" below.

It is ordered, That pursuant to section 309 (b) of the Communications Act of

1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 9:00 a. m. on July 24, 1953, in Washington, D. C., upon the following issues:

1. To determine whether the installation and operation of the station proposed by K-SIX Television, Inc., in its above-entitled application would constitute a hazard to air navigation.

2. To determine on a comparative basis which of the operations proposed in the above-entitled applications would best serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences among the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: June 29, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6008; Filed, July 7, 1953;
8:52 a. m.]

[Docket No. 10570]

SCRANTON BROADCASTERS, Inc.

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of Scranton Broadcasters, Incorporated, Scranton, Pennsylvania, Docket No. 10570, File No. BAPCT-32; for assignment of television construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of June 1953;

The Commission having under consideration the above-entitled application requesting consent to the assignment of the construction permit for Station WGBI-TV (Channel 22) at Scranton, Pennsylvania, from Scranton Broadcasters, Incorporated, to MCL Telecasting Corporation, assignee; and

It appearing, that assignee is equally owned and controlled by Meco Realty Company, Scranton Broadcasters, Incorporated, and Edward J. and Elizabeth R. Lynett, the latter two groups being the owners, respectively, of Stations WGBI and WGBI-FM, and WQAN and WQAN-FM, all located at Scranton, Pennsylvania; and

It further appearing, that, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applicants were advised by letter dated March 11, 1953, that the Commission was unable to find at that time, that grant of their application would

serve the public interest, convenience, and necessity because of the possible violation of § 3.35 of the Commission's rules and regulations and of its established policy with respect to complete divorcement of management, ownership and other interests between stations of the same class serving the same community and

It further appearing, that, upon consideration of the above-entitled application and applicant's reply to the Commission's letter of March 11, 1953, the Commission finds that the assignee is legally, technically, and financially qualified to own and operate a television station, but that the application, considered in light of § 3.35 of our rules and our established policy, raises a serious question as to whether grant of the instant application would result in a lessening of competition between Stations WGBI and WGBI-FM and Stations WQAN and WQAN-FM;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing at a date to be determined, in Washington, D. C., upon the following issues:

1. To develop full information with respect to the steps that would be taken, in the event of grant of the instant proposal, to minimize the possibility of adverse effects upon competition between Stations WGBI and WGBI-FM and Stations WQAN and WQAN-FM.

2. To determine, in light of the provisions of § 3.35 of the Commission's rules and the Commission's policy with respect to complete divorcement of management, ownership and other interests between stations of the same class in the same community or serving substantially the same area, what special circumstances, if any, exist which would justify grant of the instant proposal.

3. To determine, in light of the evidence adduced under the above issues, whether grant of the above-entitled application would serve the public interest, convenience, and necessity.

Released: June 29, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6009; Filed, July 7, 1953;
8:52 a. m.]

[Docket No. 10571]

EUGENE TELEVISION, Inc.

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Eugene Television, Inc., Eugene, Oregon, File No. BPCT-1231, Docket No. 10571, for a construction permit for a new television station.

1. The Commission has before it for consideration (a) a protest filed on June 10, 1953, pursuant to section 309 (c) of the Communications Act of 1934, as amended, by W. Gordon Allen, permittee of television station KTVF, authorized to

construct a television broadcast station on Channel 20 at Eugene, Oregon, directed against the Commission's action of May 13, 1953, granting without a hearing the above-entitled application; and (b) the "Request To Dismiss Or Deny Protest" filed by the above-entitled applicant on June 19, 1953. Set forth below as "Appendix A" is a copy of section 309 (c) of the Communications Act.

2. The above-entitled application was originally mutually exclusive with the application of Lane Broadcasting Company (BPCT-1233) which also requested Channel 13 in Eugene. On March 4, 1953, at its request, Lane's application was dismissed and the above-entitled application was amended to reflect changes in its stock ownership and in its officers and directors. By said amendment, parties to the Lane application were given a one-third interest in the above-entitled applicant.

3. On March 25, 1953, pursuant to section 309 (b) of the Communications Act, the Commission sent a letter to the above-entitled applicant stating, in part, as follows: "Your proposal involves the equal ownership (33 1/3 percent each) of Eugene Television, Inc., by C. H. Fisher and C. O. Fisher as a group, Glenn E. McCormick, and a group of local business and professional men. Glenn E. McCormick owns 100 percent of the outstanding stock of the licensee of standard broadcast station KORE, Eugene and the Fishers control standard broadcast station KUGN, also in Eugene. Thus, the proposal you have submitted involves, as we stated in our memorandum opinion and order in the matter of Macon Television Company (BPCT-1247) released February 12, 1953 (copy enclosed herewith) 'the factual issue of the extent to which participation in such a venture may be said to inhibit or impair the separate and independent operation of two AM stations.'"

In said letter, the Commission detailed the representations made by the applicant in support of its showing that each of the above standard broadcast stations would continue to be operated in full arms-length competition with each other and concluded as follows: "Accordingly, unlike Macon, we are not able to find that a grant of your application would so serve the public interest, convenience and necessity as to allow us to find that your proposal comes within any exception of § 3.35 of our rules and regulations or of our general policy with respect to complete divorcement of management, ownership and other interests between stations of the same class in the same community or serving substantially the same area."

The above letter gave the applicant 30 days to reply and provided that upon receipt of said reply, the Commission would determine whether the questions raised by the application had been resolved; if not, that the application would be designated for hearing.

4. On April 24, and May 8, 1953, the above-entitled application was amended to effectuate the following changes:

(a) C. O. Fisher assigned his subscription rights to applicant's stock to his father, C. H. Fisher.

(b) Glenn E. McCormick assigned his subscription rights to applicant's stock to Lee P. Bishop and others (persons to whom McCormick had transferred his interests in KORE);

(c) C. H. Fisher agreed to divest himself of all stock ownership and interest of any kind in KUGN, and to sell the same to his son, C. O. Fisher. The details of the sale were submitted as part of the amendment.

(d) Changes in the plan to finance the construction and operation of the proposed station.

On the basis of the amendments and the representations made therein, the Commission granted the above-entitled application, "Subject to the condition that, in accordance with representations set forth in the application, C. H. Fisher divest himself of all interests in and sever all connections with Radio Station KUGN, Eugene, Oregon, prior to the issuance of this construction permit."

5. In support of his protest, the protestant alleges, in general, and in addition to some of the facts set forth above, that the station proposed by the applicant herein will be in direct competition with his station KTVF and will cause him economic injury; that, therefore, he is a party in interest within the meaning of section 309 (c) of the Communications Act; that in granting the above-entitled application on the representation of C. H. Fisher to dispose of his interest in AM station KUGN, the Commission "has erred in that no consideration whatsoever was given to the so-called 'family doctrine' or presumption that members of a family group act in privity"; that "a transfer from C. H. Fisher to his son, C. O. Fisher, would not, in fact, be a relinquishment of control and would do violence to the provisions of § 3.35 of the Commission's rules"; that a review of the application herein does not reveal any facts whatsoever to rebut the presumption of family control; that the facts point toward a close degree of co-operation and interests of father and son; that C. O. Fisher has no business interests except those in which he participates with his father; that the financial statement of C. O. Fisher on April 30, 1952, shows a net worth of \$83,983.18 of which \$66,870.49 is shown as interests in businesses in which he is associated with his father; that the Commission's action in granting the application herein is inconsistent with prior decisions in transfer of control cases and with its actions within the framework of this case as indicated in its letter to the applicant of March 25, 1953; and that the grant herein should be set aside and the application designated for hearing on the issues specified in the protest.

6. In its "Request To Dismiss or Deny Protest" the above-entitled applicant alleges, in general, the pertinent facts set forth above; that such facts were before the Commission when it granted the above-entitled application and the protest does not purport to set forth any new and additional facts; that no error of law was committed in granting the application; that said action was consistent with the Commission's rules and regulations and is in accord with its prior action on similar applications; that protestant has

not shown the existence of such adverse effects resulting from the grant to the applicant herein as to qualify him as a "party in interest" and that a grant of the above protest would not be consistent with the legislative history of section 309 (c) and the applicable law.

7. In light of the fact that protestant is the permittee of a television broadcast station in Eugene, Oregon, that the station proposed by the applicant herein will be in direct competition with protestant's station, and that protestant has alleged that economic injury will result from the grant complained of, we are of the view that protestant is a party in interest within the meaning of section 309 (c) of the Communications Act. *Sanders v. Federal Communications Commission*, 309 U. S. 470; *In re Application of Versluis Radio and Television, Inc.*, (FCC 53-314), *In re Applications of Salinas Broadcasting Corporation et al.*, (FCC 53-397) *Cf. Mansfield Journal Co. v. Federal Communications Commission*, 173F 2d 646.

8. The Commission further finds that the protestant has specified with particularity the facts, matters and things relied upon as required by section 309 (c) of the Communications Act to warrant the designation of the application herein for hearing on the issues specified in the protest. In making this finding, we do not determine or imply that any or all of these issues, even if the facts with respect thereto are as alleged by protestant, are such that they could result in a determination that the grant to Eugene Television, Inc., was improper, contrary to the public interest or should be set aside. Accordingly, said issues are not being adopted by the Commission, and the burden of proof thereon both in proving the facts alleged and in demonstrating their materiality and relevancy will be on the protestant.

9. In view of the foregoing: *It is ordered*, That, effective immediately, the effective date of the grant of the above-entitled application is postponed pending a final determination by the Commission with respect to the protest herein of W Gordon Allen; and that, pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing at the offices of the Commission in Washington, D. C., on the following issues:

(a) To determine the overlap of the service areas of the proposed television station on Channel 13 in Eugene, Oregon, and of Stations KUGN and KORE, the nature and extent thereof, and whether such overlap of service areas is in contravention of § 3.35 of the Commission's rules.

(b) To determine whether a transfer of control of Station KUGN from C. H. Fisher to C. O. Fisher is a divestment of interest by C. H. Fisher in that station.

(c) To determine whether the concentration of control of AM Stations KUGN and KORE in Eugene, Oregon, and the proposed television station on Channel 13 at Eugene, Oregon, would result in economic injury to W Gordon Allen, permittee of Television Station KTVF Eugene, Oregon.

(d) To determine whether the common control of AM Stations KUGN and KORE in Eugene, Oregon and the proposed television station on Channel 13 at Eugene, Oregon is in the public interest, convenience and necessity.

(e) To determine, in the light of the record developed through the hearing on the foregoing issues, whether the grant of the above-entitled application should be vacated.

The burden of proof as to each of the above issues shall be on the protestant.

10. *It is further ordered*, That the protestant and the Chief of the Broadcast Bureau are hereby made parties to the proceedings herein and that:

(a) The hearing on the above issues commence at 9:00 a. m. on July 13, 1953, before an Examiner to be specified by the Commission; and

(b) The parties to the proceedings shall have fifteen (15) days after the issuance of the Examiner's decision to file exceptions thereto and seven (7) days thereafter to file replies to any such exceptions; and

(c) The appearances by the parties intending to participate in the above hearings shall be filed not later than July 8, 1953.

Adopted: June 25, 1953.

Released: July 1, 1953.

FEDERAL COMMUNICATIONS
COMMISSION¹

[SEAL] T. J. SLOWIE,
Secretary.

APPENDIX A

SECTION 309 (c). When any instrument of authorization is granted by the Commission without a hearing as provided in subsection (a) hereof, such grant shall remain subject to protest as hereinafter provided for a period of thirty days. During such thirty-day period any party in interest may file a protest under oath directed to such grant and request a hearing on said application so granted. Any protest so filed shall contain such allegations of fact as will show the protestant to be a party in interest and shall specify with particularity the facts, matters and things relied upon, but shall not include issues or allegations phrased generally. The Commission shall, within fifteen days from the date of the filing of such protest, enter findings as to whether such protest meets the foregoing requirements and if it so finds the application involved shall be set for hearing upon the issues set forth in said protest, together with such further specific issues, if any, as may be prescribed by the Commission. In any hearing subsequently held upon such application all issues specified by the Commission shall be tried in the same manner provided in subsection (b) hereof, but with respect to all issues set forth in the protest and not specifically adopted by the Commission, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the protestant. The hearing and determination of cases arising under this subsection shall be expedited by the Commission and pending hearing and decision the effective date of the Commission's action to which protest is made shall be postponed to the effective date of the Commission's decision after hearing, unless the authorization involved is necessary to the maintenance or conduct of an existing service, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing.

[F. R. Doc. 53-6010; Filed, July 7, 1953;
8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1473, G-1649, G-1693,
G-1727, G-1737]

TEXAS EASTERN TRANSMISSION CORP.,
ET AL.

NOTICE OF ORDER AMENDING ORDER ISSUING
CERTIFICATES OF PUBLIC CONVENIENCE
AND NECESSITY

JULY 2, 1953.

In the matters of Texas Eastern Transmission Corporation, Docket No. G-1693; Alabama-Tennessee Natural Gas Company, Docket No. G-1473; Tennessee Gas Company, Docket No. G-1649; Shippensburg Gas Company, Docket No. G-1727; Consumers Gas Company, Docket No. G-1737.

Notice is hereby given that on June 29, 1953, the Federal Power Commission issued its order adopted June 25, 1953, further amending order (18 F. R. 122-123) issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-5992; Filed, July 7, 1953;
8:49 a. m.]

[Docket No. G-1732]

TRANSCONTINENTAL GAS PIPE LINE CORP.
AND TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF PETITION TO AMEND ORDER

JULY 1, 1953.

Take notice that Transcontinental Gas Pipe Line Corporation (Transcontinental) and Texas Eastern Transmission Corporation (Texas Eastern) Delaware corporations having their principal places of business at Houston, Texas, and Shreveport, Louisiana, respectively, filed on June 16, 1953, a petition for amendment of order issuing certificate of public convenience and necessity, by which it requests the Commission to amend said order issued February 5, 1952, in Docket No. G-1792, by specifying that the existing interconnection between Transcontinental's Marcus-Hook lateral and Texas Eastern's South 20-inch lateral as an additional delivery point, authorized at Docket No. G-1955, for the emergency exchange of gas and by deleting the following language from ordering paragraph (A). "Provided, further, that when an emergency delivery of natural gas is made under the exchange agreement by one applicant to one of the above named customers for the account of the other applicant, as soon as it is feasible following any such emergency delivery the applicant which receives such delivery will tender a like quantity of natural

gas to the other at or through the same point of interconnection, or to the same customer who received the emergency delivery, unless otherwise ordered by the Commission."

Texas Eastern and Transcontinental request that their application to amend be heard under the shortened procedure pursuant to § 1.32 (b) of the Commission's rules of practice and procedure. It is further requested that pending final determination of said application, the Commission issue temporary authorization pursuant to the application herein referred to.

The application is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 20th day of July 1953.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-5982; Filed, July 7, 1953;
8:47 a. m.]

[Docket Nos. G-1630, G-1631, G-1912, G-2102,
G-2104, G-2105, G-2165]

EL PASO NATURAL GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDERS

JULY 2, 1953.

In the matters of El Paso Natural Gas Company, Docket No. G-2106; Southern California Gas Company and Southern Counties Gas Company of California, Docket No. G-2104; Pacific Gas and Electric Company, Docket No. G-2102; El Paso Natural Gas Company, Docket Nos. G-1630, G-1631, G-1912; Texas Eastern Transmission Corporation, Docket No. G-2166.

Notice is hereby given that on June 29, 1953, the Federal Power Commission issued its findings and orders adopted June 25, 1953, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-5993; Filed, July 7, 1953;
8:49 a. m.]

[Project No. 1309]

SILVER CRESCENT, INC.

NOTICE OF ORDER ACCEPTING SURRENDER OF
LICENSE

JULY 2, 1953.

Notice is hereby given that on June 30, 1953, the Federal Power Commission issued its order adopted June 25, 1953, accepting surrender of license (Transmission Line) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-5994; Filed, July 7, 1953;
8:49 a. m.]

¹ Dissenting statement of Commissioner Bartley filed as part of original document.

INTERSTATE COMMERCE COMMISSION

ORGANIZATION STATEMENT

DUTIES AND RESPONSIBILITIES OF CHAIRMAN OF COMMISSION

JULY 2, 1953.

The Interstate Commerce Commission announces the following changes in the Commission's "Organization Minutes" under the heading "Duties and Responsibilities of the Chairman of the Commission" published in the September 21, 1946, issue of the FEDERAL REGISTER, 11 F. R. 10662:

Effective July 1, 1953, the third subparagraph now reading: "He shall be an ex officio member of Division One," is changed to read: "He shall be ex officio, Chairman of the Committee on Legislation and Rules and a member of Division One;"

And, effective October 5, 1953, the following is added as the seventh subparagraph: "He shall be relieved, during his chairmanship, of any regular assignment as a member of a division other than an administrative division."

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-5996; Filed, July 7, 1953;
8:49 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 31-DPAV-36 (a)]

WITHDRAWAL OF REQUEST TO PARTICIPATE IN THE ACTIVITIES OF THE ARMY ORDNANCE INTEGRATION COMMITTEE ON SHELL LOADING

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request, published in 17 F. R. 4725 on May 23, 1952, to participate in the formation and activities of an Army Ordnance Integration Committee on Shell Loading, in accordance with a voluntary plan entitled "Plan and Regulations of the Ordnance Corps Covering the Integration Committee on Ammunition Loading (except Small Arms Ammunition)" dated November 1, 1951, transmitted to and accepted by those companies listed in 17 F. R. 4725 on May 23, 1952, is hereby withdrawn.

The immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act, heretofore granted to these companies, is likewise withdrawn except as to those acts performed or omitted by reason of the request which occurred prior to this withdrawal.

(Sec. 708, 67 Stat. 129, Pub. Law 95, 83d Cong.; E. O. 10467, July 1, 1953, 18 F. R. 3777)

Dated: July 6, 1953.

ARTHUR S. FLEMMING,
Director

[F. R. Doc. 53-6038; Filed, July 6, 1953;
4:59 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3045]

CONSOLIDATED NATURAL GAS CO. ET AL.

ORDER AUTHORIZING ISSUANCE AND SALE OF NOTES BY SUBSIDIARY COMPANIES TO PARENT

JULY 2, 1953.

Consolidated Natural Gas Company ("Consolidated") a registered holding company and its subsidiaries, including East Ohio Gas Company ("East Ohio"), Hope Natural Gas Company ("Hope"), New York State Natural Gas Company ("New York Natural") and The River Gas Company ("River") having heretofore filed a joint application-declaration with this Commission pursuant to sections 6 (b) 10, 12 (b) and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and rules promulgated thereunder regarding the proposed issuance and sale of notes and stocks of the subsidiaries to the parent; and

Consolidated and the above named subsidiaries having filed an amendment requesting the prompt issue of an order granting and permitting to become effective the joint application-declaration insofar as it relates to the issuance and sale to and the acquisition by Consolidated of nonnegotiable promissory notes as follows:

East Ohio will issue \$10,000,000 principal amount of notes maturing serially in equal amounts of \$500,000 on May 31, 1958, and on each May 31 thereafter to and including May 31, 1977.

Hope will issue \$6,500,000 principal amount of notes maturing serially in equal amounts of \$250,000 on May 31, 1958, and on each May 31 thereafter to and including May 31, 1973, and \$500,000 on May 31, 1974, and \$500,000 on each May 31 thereafter to and including May 31, 1978.

New York Natural will issue \$3,500,000 principal amount of notes maturing serially in equal amounts of \$500,000 on May 31, 1957, and \$500,000 on each May 31 thereafter to and including May 31, 1963;

River will issue \$100,000 principal amount of notes maturing serially in equal amounts of \$5,000 on May 31, 1959, and \$5,000 on each May 31 thereafter to and including May 31, 1963, and \$15,000 on May 31, 1964, and \$15,000 on each May 31 thereafter to and including May 31, 1968.

The interest rate on all of the notes will be 3½ percent per annum which is substantially the same as the cost of money recently secured by Consolidated through the sale of \$25,000,000 principal amount of its debentures.

The loans are to be made from time to time within the twelve month period ending June 30, 1954, as financing is required by the respective companies in carrying out their construction programs; and

The proposed issuance of notes by East Ohio, and River having been authorized by the Public Utilities Commission of Ohio; and the proposed issuance by Hope having been authorized by the

Public Service Commission of West Virginia; and

Due notice having been given of the filing of the joint application-declaration, and a hearing not having been requested or ordered by the Commission; and the Commission finding that the issuance and sale of said notes by East Ohio, Hope, New York Natural and River and the acquisition thereof by Consolidated satisfy the applicable provisions of the act and the rules promulgated thereunder, and that no adverse findings are necessary in respect thereof, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective forthwith insofar as it relates to the issuance and sale of notes by East Ohio, Hope, New York Natural and River and the acquisition thereof by Consolidated:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Act, and subject to the terms and conditions contained in Rule U-24 that said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith insofar as it relates to the issuance and sale by East Ohio, Hope, New York Natural and River, of not in excess of \$10,000,000, \$6,500,000, \$3,500,000 and \$100,000 respectively of non-negotiable promissory notes and the acquisition thereof by Consolidated.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-5986; Filed, July 7, 1953;
8:48 a. m.]

[File No. 70-3061]

NORTHERN STATES POWER CO.

ORDER REGARDING PURCHASE CONTRACT FOR PROPOSED ACQUISITION OF UTILITY ASSETS

JULY 2, 1953.

Northern States Power Company ("Northern States"), a Minnesota corporation and a registered holding company and also a public utility company, having filed an application-declaration pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 ("act") with this Commission with respect to a proposed transaction which is summarized as follows:

Northern States proposes to purchase from the Minneapolis Street Railway Company and the St. Paul City Railway Company, non-affiliates, (subsidiaries of Twin City Rapid Transit Company and hereinafter sometimes referred to collectively as the "Railway Companies") a 35-cycle steam electric power plant (except certain excluded equipment) located on the Mississippi River a short distance above the Northern States' Lower Dam Hydro Plant in what is commonly termed the loop area of Minneapolis, two substation buildings located in Minneapolis, approximately 23 miles of underground conduit lines in the streets of Minneapolis and St. Paul, and three tunnels located in Minneapolis used for

underground cable purposes (hereinafter sometimes collectively referred to as the "Railway Properties")

As the Railway Companies will need the Railway Properties in their operations until completion to the conversion of their street railway operations to bus operations (which they anticipate will be on or before November 1, 1954) the Agreement of Sale provides for the conveyance of the Railway Properties to Northern States on November 1, 1954 (with provisions for variation of such date, under specified conditions, from not earlier than July 1, 1954, to not later than November 1, 1955).

Northern States will pay the Railway Companies a base purchase price of \$1,500,000 for the Railway Properties. The Agreement of Sale contains a provision for the reduction of the base purchase price by the sum of \$75,000 for each complete year from December 31, 1952, and \$205 for each additional day beyond any complete year to the date of payment as well as other provisions for adjustment of the base purchase price under specified conditions.

An additional expenditure estimated at \$1,800,000 will be required by Northern States to convert the operation of the plant from 35 cycle to 60 cycle and to tie it into Northern States' interconnected system. It is the intention of Northern States to use the plant, when converted, for peak load operations and needed emergency stand-by. When it is available in 1955, it is estimated that the inter-connected system reserve will be increased by this addition from 11.3 percent to 14.9 percent. In the opinion of Northern States' engineers, the availability of this plant for peaking and emergency purposes fully justifies the cost of purchase and conversion.

Engineers of Northern States have examined the Railway Properties and in their opinion the present value of such properties is at least \$1,500,000. In addition, Northern States has made a study of the books and records of the Railway Companies for the purpose of determining the original cost of the properties to be acquired which shows that such cost, less estimated accrued depreciation, is presently in excess of \$2,000,000.

The power plant, located in the metropolitan area of Minneapolis, is stated to be strategically located with respect to Northern States' system. The purchase of this plant also will make available to the system for future development a site on the Mississippi River with ample cooling water supply, natural gas and coal fuels, and coal storage area readily available. Additional land now owned by the Saint Anthony Falls Water Power Company, a wholly owned subsidiary of Northern States, is located adjacent to the site of the plant and would be available should additional space be required for expansion.

The portions of the underground conduit lines being purchased are contiguous to Northern States' existing underground system and are at locations stated to be well suited to the expansion of that system. It is stated that the tunnels and substations involved in the purchase will fit in with Northern States' system and future plans.

Upon acquisition of the Railway Properties, Northern States will record the transaction in conformity with the Federal Power Commission's Uniform System of Accounts. No commissions will be paid by the Company in connection with the acquisition and expenses in connection therewith are estimated at not to exceed \$2,500.

Due notice of the filing of the application-declaration having been given and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said application-declaration be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration be, and it hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-5987; Filed, July 7, 1953;
8:43 a. m.]

[File No. 70-3091]

APPALACHIAN ELECTRIC POWER CO. ET AL.

NOTICE REGARDING PROPOSED ISSUANCE AND SALE OF COMMON STOCK BY TWO SUBSIDIARIES TO PARENT AND PROPOSED ISSUANCE AND SALE BY ONE SUBSIDIARY OF SHORT TERM PROMISSORY NOTES PAYABLE TO BANKS

JULY 2, 1953.

In the matter of Appalachian Electric Power Company, the Ohio Power Company, American Gas and Electric Company' File No. 70-3091.

Notice is hereby given that a joint-application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 (the "act"), by American Gas and Electric Company ("American Gas") a registered holding company, and its public-utility subsidiary companies, Appalachian Electric Power Company ("Appalachian") and Ohio Power Company ("Ohio"). Sections 6, 7 and 10 of the act and Rule U-23 thereunder have been designated by the Applicants-Declarants as applicable to the proposed transactions which are summarized as follows:

Appalachian and Ohio, each, propose to issue and sell 100,000 shares of common stock, no par value, to American Gas for \$7,000,000 or an aggregate of \$14,000,000. In addition, Ohio proposes to issue and sell, from time to time but not later than June 30, 1954, short-term promissory notes payable to banks. It is indicated that the aggregate amount of such short-term note indebtedness outstanding at any one time will not exceed \$23,000,000. Each of said notes

will mature 270 days after the issue date thereof and will bear interest from the issue date at the then current prime credit rate which, it is stated, is presently $3\frac{1}{4}$ percent per annum. If said prime credit rate at the time of issuance of any of said notes is in excess of $3\frac{1}{2}$ percent per annum, at least five days prior thereto Ohio will file an amendment to this joint application-declaration setting forth therein the amount of said proposed note or notes and the rate of interest proposed to be paid thereon. Ohio requests that said amendment become effective five days after the filing thereof, provided that no action is taken by the Commission with respect to said proposed note or notes within said five day period. Any of said notes may be prepaid in whole or in part and without premium.

The application-declaration states that on the basis herein proposed Ohio expected to borrow \$4,000,000 during June 1953 and designated section 6 (b) of the act as presently providing an exemption for such borrowing.

The proceeds from the proposed sale of common stock and notes will be used by Appalachian and Ohio to pay part of the costs of the companies' construction programs, it being estimated that Appalachian's construction program will amount to \$35,100,000 in 1953 and \$17,300,000 in 1954 and Ohio's will amount to \$52,500,000 in 1953 and \$25,900,000 in 1954.

It is requested that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than July 15, 1953, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason or reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the joint application-declaration, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-5985; Filed, July 7, 1953;
8:48 a. m.]

[File No. 70-3032]

OHIO POWER CO.

NOTICE OF FILING REGARDING ACQUISITION OF UTILITY ASSETS FROM NON-AFFILIATE

JULY 2, 1953.

Notice is hereby given that an application has been filed with this Commis-

sion by the Ohio Power Company ("Ohio") a public-utility subsidiary company of American Gas and Electric Company, a registered holding company, designating sections 9 and 10 of the Public Utility Holding Company Act of 1935 (the "act") as being applicable to proposed transactions which are summarized as follows:

Ohio proposes to acquire for \$141,760 the complete generating and distributing facilities of the electric utility system of the village of Arlington, Ohio. It is stated in the application that the Arlington officials made a public invitation for bids to purchase its electric utility facilities and that the bid of Ohio was the high bid and was accepted by Arlington. No real estate is involved in the sale since Arlington is to retain ownership of the land and buildings. The property will be conveyed free of all indebtedness. The \$44,000 of bonded indebtedness now outstanding against the property will be retired by Arlington with part of the cash received.

The application indicates that Arlington is in the territory served by Ohio and that there will be an integration of the Arlington facilities into the Ohio system and that under the Ohio rates which would be substituted for Arlington's rates every domestic customer and the commercial customers, as a group, will realize a savings. In 1952, Arlington's billings to domestic and commercial electrical customers aggregated approximately \$37,000.

Ohio proposes to record the Arlington properties on its books on the basis of original cost (to the extent that such original cost can be determined or estimated) and the difference, if any, between the purchase price and such original cost will be recorded and disposed of in accordance with the accounting regulations and orders of the regulatory Commissions having jurisdiction.

Counsel for Ohio states that in his opinion no action by any State commission is required.

It is stated in the application that no finder's fees or commissions are to be paid in connection with the proposed transactions. Ohio requests that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than July 15, 1953, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues, if any, of fact or law raised by said application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 15, 1953, said application, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such

transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-5983; Filed, July 7, 1953;
8:47 a. m.]

[File No. 70-3098]

MILWAUKEE GAS LIGHT CO.

NOTICE OF FILING REGARDING ISSUANCE OF PROMISSORY NOTES

JULY 2, 1953.

Notice is hereby given that Milwaukee Gas Light Company ("Milwaukee") a public utility subsidiary company of American Natural Gas Company, a registered holding company, has filed a declaration, pursuant to section 7 of the Public Utility Holding Company Act of 1935 ("act"), with this Commission with respect to a proposed transaction which is summarized below:

Milwaukee proposes, pursuant to a bank loan agreement to be dated August 1, 1953, to issue from time to time its promissory notes in the aggregate maximum principal amount of \$9,000,000 to mature August 1, 1954, and to bear interest at the rate of 3 1/4 percent per annum. Said notes will be issued to the following banks in the following maximum amounts:

The National City Bank of New York.....	\$2,300,000
The Hanover Bank, New York.....	2,300,000
Mellon National Bank & Trust Co., Pittsburgh, Pa.....	2,300,000
First Wisconsin National Bank of Milwaukee.....	1,700,000
Marine National Exchange Bank of Milwaukee.....	200,000
Marshall & Ilsley Bank, Milwaukee.....	200,000
Total.....	9,000,000

Milwaukee will have the right to prepay from time to time without penalty, in amounts of \$900,000 or multiples thereof, notes issued pursuant to the Credit Agreement, except that a prepayment penalty of 1/4 of 1 percent per annum for the unexpired term of notes prepaid will apply in case of prepayment from the proceeds of borrowings from banks, other than those participating in the Credit Agreement. Said Credit Agreement will further provide that the company shall pay a commitment fee at the rate of 1/2 of 1 percent per annum on the average daily unused balance of the commitment, from the date of the Credit Agreement to August 1, 1954 or until the entire \$9,000,000 shall have been taken down, whichever is earlier.

The proceeds of said notes will be used to pay Milwaukee's 3 percent notes outstanding at the time of the first borrowing under the proposed Credit Agreement, estimated to be \$2,500,000, and the balance will be used, together with other available funds, for the temporary financing of Milwaukee's construction program pending the development and

consummation, prior to the maturity of the proposed bank notes, of a permanent financing program. In this connection, the filing indicates that the company will expend approximately \$5,600,000 for construction in 1953 (of which approximately \$1,850,000 has been expended to April 30, 1953) and approximately \$6,200,000 in 1954.

The declaration states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Fees and expenses are estimated at \$2,500, including counsel fees of \$1,500.

Notice is further given that any interested person may, not later than July 20, 1953, at 5:30 p. m., e. d. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said filing which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 20, 1953, such application-declaration, as filed or as amended, may be granted, or permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-5984; Filed, July 7, 1953;
8:47 a. m.]

SMALL DEFENSE PLANTS ADMINISTRATION

[S. D. P. A. Pool Request 20]

ADDITIONAL COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN THE OPERATIONS OF THE TRI-STATE DEFENSE INDUSTRIES, INC.

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the names of the following companies which have accepted the requests to participate in the operations of the Tri-State Defense Industries, Inc., are herewith published. The original list of companies accepting such request was published on December 10, 1952, in 17 F. R. 11183.

Dun-Rite Manufacturing, 35 Elght Street, Passaic, N. J.

Norse Electric Manufacturing Co., Inc., 55 Water Street, New York 4, N. Y.

(Sec. 708, 64 Stat. 818, Pub. Law 90, as amended by Pub. Law 429; 82d Cong., 50 U. S. C. App. 2158; E. O. 10370, July 7, 1952, 17 F. R. 6141)

Dated: July 2, 1953.

WILLIAM D. MITCHELL,
Administrator

[F. R. Doc. 53-6014; Filed, July 7, 1953;
8:52 a. m.]